

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.670 of 2018

Arising Out of PS. Case No.-97 Year-2017 Thana- KHUSRUPUR District- Patna

Nitish Gope @ Nitish Kumar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shambhu Sharan Singh
For the Opposite Party/s : Mr. AHTASH ALI KHAN

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 12-02-2018 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Khusrupur P.S. Case No. 97 of 2017 registered for the offence punishable under Sections 341, 323, 379, 354, 504, 307/34 of the Indian Penal Code.

The allegation against the petitioner and other co-accused persons regarding entering the house of the informant and outraging the modesty of the female inmates as well as assaulting the prosecution side.

The learned counsel for the petitioner submits that the petitioner is a college going boy of tender age and has been falsely implicated in the present case to spoil his career. It is further submitted that the petitioner has a clean antecedent.



Per contra, the learned counsel for the informant submits that the petitioner has intentionally indulged in the occurrence and is not liable to be granted anticipatory bail inasmuch as the other co-accused persons have been granted regular bail.

At this juncture, the learned counsel for the petitioner submits that apart from the fact that the co-accused persons have been granted regular bail, the injuries whatsoever found on the person of the prosecution side are stated to be simple in nature.

Having regard to the facts and circumstances of the case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-5, Patna City in connection with Khusrupur P.S. Case No. 97 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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