

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.42363 of 2018**

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1. Avinash Kumar @ Kundan Kumar, Son of Deo Kumar Singh, resident of village Nandlal Chhapra, P.S. Agamkuan, District- Patna.

.... .... Petitioner/s

Versus

1. The State of Bihar.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sudhir Kumar

For the Opposite Party/s : Mr. Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR**  
**JHA**

**ORAL ORDER**

2      19-07-2018                      Heard both sides.

The petitioner apprehends his arrest in Agamkuan P.S. Case No.642 of 2017 registered under Sections 341, 323, 354, 504/34 of the Indian Penal Code.

The informant alleged that while she was in search of a rental flat, Kundan Kumar and two others came and tried to forcibly take her away. When the informant objected, the accused persons called their friends and assaulted the informant.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case in order to save her neck. Asha Devi lodged Agamkuan P.S. Case No.643 of 2017 against Deepak Choudhary, his wife, sister-in-law and others. The informant of the present case is family member of Deepak



Choudhary. It is further submitted that similarly situated co-accused Kush Kumar whose mother is Asha Devi and she lodged Agamkuan P.S. case No. 643/2017 has already been granted anticipatory bail vide order dated 05.04.2018 passed in Cr. Misc. No.19557 of 2018.

Considering the aforesaid fact and the fact that there is a case and counter case between two sides and one of the accused namely Kush Kumar has already been granted anticipatory bail, the petitioner, above named, in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City, Patna, in connection with Agamkuan P.S. Case No.642/2017, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Prabhat Kumar Jha, J)**

Amit/-

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