

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62069 of 2018

Arising Out of PS. Case No.-382 Year-2018 Thana- NAUBATPUR District- Patna

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Pinku Kumar Son of Vinay Kumar@ Vinay singh Resident of Village- Parsa,
Police Station- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Adv.
For the Opposite Party/s : Mr. J. N. Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 08-10-2018 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
341,323,379,504,506/34 of the Indian Penal Code.

The prosecution case got initiated on the basis of written
report submitted by Anil Sharma to the Station House Officer,
Naubatpur Police Station is to the effect that when the informant
went through a tempo for worship, in the meantime, the
petitioner and co-accused, Vinay Singh, snatched Rs.1,500/-
from him and assaulted him with lathi causing injury on his



head, chest and leg.

It is submitted by learned counsel for the petitioner that there is no recovery from the petitioner. In fact, the petitioner and the informant are co-villagers and for to a petty dispute, the accusation has been levelled against the petitioner. It is further submitted that the FIR was registered on 14.08.2018, but it reached to the Court of learned ACJM on 16.08.2018 which suggests antedating of the F.I.R. Moreover, similarly, situated co-accused, Vinay Singh, has been granted anticipatory bail vide impugned order itself by the learned ADJ-VI, Danapur. Though the petitioner is accused in one other case, apart from the present case, but in that case he is on bail. A statement to that effect has been made in paragraph no.3 of the petition.

It is submitted by learned APP for the State that the FIR has been registered with specific accusation.

Considering the fact that similarly situated co-accused has been granted bail by the learned Court below itself and no recovery from the petitioner, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Danapur, Patna, in connection with Naubatpur



P.S. Case No.382 of 2018, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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