

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68064 of 2018

Arising Out of PS. Case No.-202 Year-2018 Thana- JANDAHA District- Vaishali

Satrudhan Prasad Singh S/o Late Harivansh Singh, R/o Vill- Ayodhya, P.S. Tegra, Distt. Begusarai, at present posted as Block Education Officer, Mahua and as Additional in Charge of Jandaha Block, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Amresh Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Sri Dilip Kumar, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned senior counsel for the petitioner and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 302, 120B, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case as per the written report of Omprakash Sahni dated 13.08.2018 submitted to the Station House Officer of Jandaha Police Station is that to the effect that on same very day at 1.00 P.M. the informant along with his brother, Manish Kumar, who is Block Pramukh, Jandaha Block had gone to the Block Office. At about 3.00 P.M. when the brother of the informant came to his office from the house of the



B.D.O., on the order of co-accused Rambabu Sahni, co-accused persons Jaishankar Choudhary and Abhay Kumar fired at the brother of the informant. The name of the petitioner sprang up since being Block Education officer, he had threatened the deceased.

It is submitted by learned senior counsel for the petitioner that considering the fact that informant is not the eye witness to the occurrence, whereas the specific accusation alleged against co-accused Jaishankar Choudhary and Abhay Kumar, co-accused Ranjeet Kumar and Kundan Kumar have been granted anticipatory bail by a co-ordinate Bench of this Court vide Cr. Misc. Nos. 64351 of 2018 and 66710 of 2018 respectively. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the First Information Report.

Considering the fact that the thrust of accusation is against co-accused Jaishankar Choudhary and Abhay Kumar and there is no specific accusation against the petitioner, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, 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 twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. XI, Vaishali at Hajipur in connection with Jandaha P.S. Case No. 202 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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