

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33827 of 2018

Arising Out of PS.Case No. -547 Year- 2017 Thana -DANAPUR District- PATNA

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1. Laxmi Kant @ Payare Lal, Director of Deeksha Buldicon, S/o Bihari Prasad, At Present residing at -Kothwan Khagaul, P.S.- Danapur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh-1

For the Opposite Party/s : Mr. Sri Anant Kumar

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 05-07-2018

Heard the learned counsels for the parties.

The petitioner seeks bail in anticipation of his arrest in connection with Danapur P.S. Case No. 547/2017 dated 10.08.2017 instituted for the offences under Sections 147, 148, 149, 341, 323, 302 and 120(B) of the Indian Penal Code read with Section 27 of the Arms Act.

The petitioner is named in the F.I.R., who is alleged to have, with the help of others, killed one Kedar Rai, the brother of the informant. However, during the investigation, the police did not find the accusation against the petitioner and other F.I.R. named accused persons to be correct and therefore submitted charge-sheet against non - F.I.R. named accused persons. However, the learned Magistrate, differing with the police report, took cognizance against



the petitioner also.

The learned counsel for the petitioner has submitted that there is no material in the case diary justifying the order of cognizance as against him.

Under similar circumstance, one of the accused persons has been granted anticipatory bail by a Bench of this Court. Even one of the accused persons with an overt act towards the killing of the deceased has been granted anticipatory bail by a Bench of this Court vide order dated 03.05.2018 passed in Cr. Misc. No. 21626/2018.

Regard being had to the aforesaid facts as also that the petitioner has no criminal antecedents, he is directed to be released on bail, in the event of his surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bond in the sum of Rs. 10,000/- (Ten Thousand), with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 547/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J.)

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