

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.57600 of 2018**

Arising Out of PS.Case No. -268 Year- 2018 Thana -SHEKHPURA District- SEKHPURA

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Jitendra Kumar @ Jitendra Sao, S/o Birendra Sao, R/o Vill.-  
Commissionary Bazar (Pulpar), P.S. and Distt.- Sheikhpora.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2    28-09-2018                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner seeks pre-arrest bail in connection with Sheikhpora P.S. Case No. 268 of 2018 registered under Sections 341, 323 and 307 of the Indian Penal Code and subsequently, section 302 was added in the first information report.

It is submitted that in the first information report specific allegation has been made by the informant Mariyam Khatoon that the accused Babloo Kumar assaulted her husband with *samath* on his head causing grievous injury for which he was taken to sadar hospital. As his condition was critical, he was referred to Patna. The informant did not take name of the petitioner even as a person present at the place of occurrence.



However, subsequently, after death of husband of the informant merely out of suspicion, name of the petitioner along with one Birendra Sao and Sikandar Sao has been given by the mother of the deceased. It is further contended that co-accused Birendra Sao having identical allegation has already been granted pre-arrest bail by a Bench of this Court vide order dated 06.06.2018 passed in Cr. Misc. No.33006 of 2018 as contained in Annexure-3 to the present application.

Learned counsel for the State opposed the application for grant of pre-arrest bail to the petitioner.

Considering the facts and circumstances of the case and the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 268 of 2018 subject to the conditions as laid down under Section 438(2) Cr. P.C.

**(Ashwani Kumar Singh, J.)**

Sanjeet/-

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