

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.4115 of 2019

Arising Out of PS. Case No.-50 Year-2018 Thana- SIWAIPATTI District- Muzaffarpur

Nitesh Kumar, Son of Rajendra Prasad @ Rajendra Bhagat, R/o Village-
Neknama, P.S.- Siwaipatti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 28-01-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 308, 337, 338, 353, 379, 440, 504 and 506 of the IPC and Section 61 of the Bihar Prohibition and Excise Act, 2016.

The prosecution case, as per the self stated of Aurangjeb Aalam, S.I.-cum-S.H.O., of Siwaipatti Police Station dated 24.06.2018, is to the effect that on the same day, the informant arrested an accused, Keshav Kumar in connection with Siwaipatti P.S. Case No. 35 of 2018, when his uncle and other family members opposed his arrest and they got Keshav Kumar released, damaged the police jeep and took out Rs. 1800/- and mobile from the informant.



It is submitted by learned counsel for the petitioner that the accusation against the petitioner is omnibus and general. The petitioner is not related to co-accused Keshav Kumar and only on the basis of suspicion, he has been roped in the present case. It is further submitted that other similarly situated co-accused persons have been granted privilege of anticipatory bail by different Benches of this Court, vide order dated 16.08.2018, passed in Cr. Misc. No. 49804 of 2018 and vide order dated 31.10.2018, passed in Cr. Misc. No. 56605 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner and other co-accused persons obstructed the police in discharging their official duty.

Considering the accusation against the petitioner being omnibus and general, coupled with the statement made in paragraph no.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/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 like amount each to the



satisfaction of learned Special Judge, Excise Act, Muzaffarpur
in connection with Siwaipatti P.S. Case No. 50 of 2018, subject
to the condition as laid down under Section 438(2) of the Cr.
P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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