

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9517 of 2019

Arising Out of PS. Case No.-233 Year-2018 Thana- MIRGANJ District- Gopalganj

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Amod Baitha @ Amod Kumar, aged about 25 years, Male, Son of Dina Nath Baitha @ Dina Nath Rajak, Resident of Village - Badar Jimi, P.S-Mirganj, Dist.-Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjan Kr.Dubey, Adv.

For the Opposite Party/s : Mr.Madhuranand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

Petitioner is seeking anticipatory bail in connection with Mirganj P.S. Case No. 233 of 2018 registered for the offences punishable under Sections 147, 148, 149, 307, 504, 324 and 325 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioner submits that from the F.I.R. it would appear that allegation of causing assault and firing are against Raj Kumar Baitha and Santosh Baitha respectively. It is submitted that there is no allegation of commission of any specific overt act against this petitioner. It is further submitted that similarly situated accused have been granted anticipatory bail by a learned Coordinate Bench of this Court in Criminal Miscellaneous No.74420 of 2018 (Annexure-2).

Learned APP for the State is present and submits that



the allegations against this petitioner are identical to one of the petitioner's namely Guddu Baitha in Criminal Miscellaneous No.74420 of 2018.

Considering the facts and circumstances of the case, where it is stated that the petitioner has not committed any assault and then he has no criminal antecedent as also similarly situated accused has been granted privilege of anticipatory bail, in case of arrest or surrender of the petitioner within a period of four weeks from today, the abovenamed petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.15,000/- (rupees fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Gopalganj in connection with Mirganj P.S. Case No. 233 of 2018, subject to the condition that petitioner shall join the investigation by reporting to the Investigating Officer within a period of two weeks from today and shall cooperate in course of investigation. This will be in addition to condition prescribed under Section 438(2) of the Cr.P.C.

(Rajeev Ranjan Prasad, J)

R.R.Ojha

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