

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31379 of 2019

Arising Out of PS. Case No.-843 Year-2018 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

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GHUTRA YADAV Son of Late Guru Dayal Yadav @ Gudri Yadav Resident
of Mayaganj, P.S.- Barari, District - Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-07-2019 Heard learned counsel for the parties.

Petitioner is apprehending his arrest in connection with
Kotwali (Barari) P.S.Case No.843 of 2018 , registered for
offences punishable under Sections 147, 148, 149, 302, 201 of
the Indian Penal Code.

Written report discloses the allegation that the son of his
sister was called and taken away on the motorcycle by the
accused persons and when the informant and others went in
search of him they saw that the accused persons including the
petitioners were assaulting the son of his sister by *lathi* and
rod and one co-accused Md. Umar Chand @ Chand Mian and
Habibuddin @ Tinku pushed the son of his sister in the fire
causing fire injury later on the son of his sister died.



Submission of the learned counsel for the petitioner is that no specific allegation has been attributed against the petitioner rather there is allegation that he along with others have assaulted the son of the sister of the informant and no corresponding injury was found and consider the same, Co-ordinate Benches of this Court has granted privilege of anticipatory bail to one of the co-accused vide order dated 29.3.2019 passed in Cr. Misc. No.17565 of 2019 and later on other co-accused persons have also been granted anticipatory bail, vide order dated 17.4.2019 passed in Cr. Misc. No.24670 of 2019 and order dated 26.4.2019 passed in Cr. Misc. No.27645 of 2019 by the Co-ordinate Benches of this Court and the case of the petitioner is similar to the co-accused persons.

Heard learned A.P.P. , who has opposed the prayer for bail on the ground the allegation is serious..

Having heard both sides and in view of the fact that the other co-accused persons having similar allegation have been granted privilege of anticipatory bail by Co-ordinate Benches of this Court and the case of the petitioner is said to be similar to that of the other co-accused persons as such , let the petitioner, above named, in the event of arrest or surrender before the



learned court below, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Bhagalpur in connection with Kotwali (Barari) P.S.Case No.843 of 2018, subject to conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

With the above direction, this application is allowed.

(Vinod Kumar Sinha, J)

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