

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78156 of 2018

Arising Out of PS. Case No.-282 Year-2018 Thana- MANER District- Patna

Nitish Kumar @ Nitish Kumar Yadav @ Nithish Kumar Yadav S/o Jitendra Kumar, R/o Vill.- Khaspur (Chakia Tola), P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Prasad Singh

For the Opposite Party/s : Mr. Md. Arif

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 07-01-2019 This is an application for grant of anticipatory bail in connection with Maner P.S. Case No. 282 of 2018, disclosing offences under Sections 341, 323, 384, 504 and 34 of the Indian Penal Code.

Allegation against the petitioner and other accused persons is that they have assaulted the informant and snatched Rs.500/- from him and thereafter again the petitioner and others have surrounded the informant and demanded Rangdari from him and on Hulla, they fled away. Later on, 40-50 accused persons attacked the house of the informant and on hearing that police is coming, they fled away making firing.

Submission of learned counsel for the petitioner is that no specific allegation has been attributed against the petitioner and there is dispute with respect to the passage and no offence is made out under Section 384 IPC, rather it should be



under Section 385 IPC, which is bailable in nature. Moreover, petitioner has no criminal antecedent. Further, one co-accused person having similar allegation has been granted privilege of anticipatory bail vide order dated 06.12.2018 passed in Cr. Misc. No. 70148 of 2018.

Heard learned A.P.P. also.

Having heard both sides, considering the above submission, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Danapur, District Patna, in connection with Maner P.S. Case No. 282 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure.

This is further subject to the condition that he will cooperate in investigation of this case and will appear as and when required by the police, otherwise his bail bonds shall be cancelled.

(Vinod Kumar Sinha, J)

Amjad/-

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