

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35067 of 2019

Arising Out of PS. Case No.-102 Year-2019 Thana- SARAI District- Vaishali

Manish Kumar and others

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 30-05-2019 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

The prayer for Anticipatory bail is made by the petitioners, who apprehend their arrest in connection with Sarai P.S.Case No. 102 of 2019, registered for offences punishable under Sections 307 and 295 and other Sections of the I.P.C. and Section 27 of the Arms Act.

As per allegation in the F.I.R., when the informant was returning to his house, the accused persons including the petitioners herein had caught him and it is alleged that one co-accused Shiv Shankar Kumar pressed his neck by means of leg with intention to kill him and snatched Rs. 4500/- from his pocket. After some time all the accused persons once again gathered with deadly weapons and fired with the intention to



disturb communal harmony.

It is submitted by the learned counsel for the petitioners that the allegations against the petitioners are general and omnibus in nature and specific allegation is against Shiv Shankar Kumar. No case under Section 295 or 307 of the I.P.C. is made out while the other Sections are bailable.

Learned A.P.P. appearing on behalf of the State opposes the prayer for bail.

Having heard learned counsel for the parties it transpires that there is specific allegation against one Shiv Shankar Kumar, who is not the petitioner herein. Similarly situated accused has been granted Anticipatory bail by this Court by order dated 10.05.2019 passed in Cr. Misc. No. 31111 of 2019. Further the petitioners have no criminal antecedents. As such the petitioners, namely, Manish Kumar (aged about 22 years), Manish Kumar (aged about 28 years) , Pravin Kumar @ Praveen Kumar and Binay Kumar, in the event of their arrest or surrender in the Court below within a period of six weeks from today in connection with Sarai P.S.Case No. 102 of 2019, are directed to be released on bail on each of them bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of



learned C.J.M., Vaishali at Hajipur Purnea ,subject to the
conditions as laid down under Section 438 (2) of Cr.P.C.

(Partha Sarthy, J)

sudha/-

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