

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35593 of 2019

Arising Out of PS. Case No.-76 Year-2019 Thana- BARUN District- Aurangabad

SANTOSH KUMAR @ LUTAN, Son of Manu Yadav @ Jagnarayan Yadav
@ Jagnarayan Singh, Resident of Village - Padariya, P.S.- Barun, District-
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha

For the Opposite Party/s : Mr.Bharat Bhushan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 03-06-2019

Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Barun Police Station Case No. 76 of 2019, disclosing offences under Sections 147, 149, 341, 323, 353, 283, 291, 332, 307, 427, 435 of the Indian Penal Code.

The allegation against the petitioner, as mentioned in the First Information Report, is that on 27.03.2019, a school boy died in a road accident by a truck near Baba Balu ghat, Aurangabad. The local villagers got agitated and 40-50 villagers, along with the petitioner and other named accused assaulted the driver and cleaner of the said truck and set the truck on fire.

Learned Counsel for the petitioner submits that the driver was assaulted by more than 50-60 persons and no specific



overt act has been attributed to anyone. The petitioner is innocent and he has falsely been implicated in the present case due to village politics.

Learned Additional Public Prosecutor opposes the prayer for bail.

Considering the submissions, as above, this application is allowed.

Let the petitioner, Santosh Kumar @ Lutan, 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. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Barun Police Station Case No. 76 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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