

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39666 of 2019

Arising Out of PS. Case No.-130 Year-2019 Thana- BIHTA District- Patna

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1. MINTU KUMAR Son of Rambabu Saran Yadav, Resident of Village - Amhara, P.S.- Bihta, Distt - Patna.
 2. Nagendra Kumar Son of Raj Nath Yadav, Resident of Village - Amhara, P.S.- Bihta, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Adv.

For the Opposite Party/s : Mr. Binod Kumar No. 3, APP

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 01-07-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

In this case, the petitioners are seeking anticipatory bail in connection with Bihta P.S. Case No.130 of 2019 registered for offence punishable under sections 341, 323, 307, 504/34 of the Indian Penal Code.

Allegation has been made, the informant and his son were sitting in their shop, at that time, on account of previous incident, the accused persons came and started assaulting the informant. Allegation has been made, Mintu and Ranjan Kumar in order to kill the informant mounted on his chest and tried to strangle him and when his son came to rescue his



father, he was also assaulted.

The learned counsel for the petitioners submits, allegation which has been made with regard to trying to kill the informant, is super addition, there might be some enmity on account of previous incident and the allegation, which has been made, is completely out of context and there is no semblance of truth and further stated that co-accused Chitranjan Kumar and Ranjan Kumar have already granted bail by one of the coordinate Bench of this Court in Cr. Misc. No.28698 of 2019.

Looking to the facts and circumstances of the case, the prayer for bail of the petitioners is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Danapur in connection with Bihta P.S. Case No. 130 of 2019, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court. The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in



the disposal of trial and make themselves available as and when required by the court. If the petitioners are found involved in similar type of allegation in future, the prosecution will have liberty to file an application for cancellation of their bail bonds. Whenever the Police will call the petitioners for the purpose of interrogation/investigation, they would present themselves, In case of failure on two consecutive dates without any valid reason, the prosecution will have liberty to make a prayer for cancellation of their bail before the court below.

(Shivaji Pandey, J)

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