

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41096 of 2019

Arising Out of PS. Case No.-329 Year-2018 Thana- MIRGANJ District- Gopalganj

1. SACHIN KUMAR Son of Jitendra Yadav
2. Abhishek Kumar Son of Balindra Yadav
3. Rupesh Yadav @ Rupesh Kumar Yadav, Son of Vidyarthi Yadav @ Vidyarthi Chaudhary
All Residents of Village- Bhagirathi, P.S. and P.O.- Mirganj, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 03-07-2019 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with P.S. Case No. 329 of 2018 registered under Sections 147, 148, 149, 323, 341, 354, 379, 448, 504 and 302 of the Indian Penal Code.

Allegation against the petitioners is that they along with 20 to 25 accused persons arrived at the house of the informant and assaulted him, his uncle and other family members, due to which his uncle succumbed to injuries during treatment.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case and they have got no criminal antecedent and the allegation against petitioners is general and omnibus. He submits that no any overt act as alleged



is against them and in the FIR, there is specific allegation levelled against three named accused persons i.e., Brajesh Yadav, Sujit Yadav and Chote Lal Yadav. He further submits that similarly situated co-accused Ajay Kmar Yadav has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 12.03.2019 passed in Cr.Misc. No. 15190 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that similarly situated co-accused person has been granted anticipatory bail by a co-ordinate Bench of this Court and further there is no allegation of assault against the petitioners, I am inclined to grant anticipatory bail to them. Let the petitioners, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned CJM, Gopalganj in connection with Mirganj P.S.Case No. 329 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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