

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.52918 of 2019**

Arising Out of PS. Case No.-308 Year-2018 Thana- PATRAKARNAGAR District- Patna

Shashi Bhushan Kumar @ Bablu, S/o Sri Sadan Prasad Singh Resident of  
Mokama Nagar Parishad, Ward No. 2, P.S.- Mokama, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Kamala Kant Tiwary

For the Opposite Party/s : Mr.Akhileshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH**  
**ORAL ORDER**

3      16-11-2019                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 448, 323, 307, 385 and 379/34 of the Indian Penal Code.

The prosecution case as per the written report of the informant is that on 14.06.2018 at 7.00 P.M., the informant was in his house when accused persons namely, Magneshwar Prasad Singh along with his son Baua and brother-in-law, Bablu and two sons of Bablu together with 3-4 unknown persons entered into the house of the informant and started abusing the brother of the informant, namely, Madan Mohan Singh. On protest being made, accused persons assaulted the brother of the informant and when the informant came to rescue, co-accused



Magneshwar Singh ordered his son to kill the informant when two sons of his brother-in-law started assaulting the informant, as a result, he fell down on the ground then the two sons of co-accused Bablu started dragging the informant out of his house and when the mother of the informant namely, Janki Devi came to rescue then co-accused Baua assaulted her with pistol, as a result, she fell down on the ground. Thereafter, all the accused persons including the petitioner escaped from the scene while demanding extortion money of Rs. Two lakhs from them.

It is submitted by learned counsel for the petitioner that the accusation of assault is not specific against the petitioner and co-accused Raj Pallav @ Baua has been granted anticipatory bail vide order dated 27.08.2019 passed in Cr. Misc. No. 53476 of 2019 and co-accused Magneshwar Prasad Singh has been granted anticipatory bail vide order dated 24.09.2019 passed in Cr. Misc. No. 54456 of 2019 by Co-ordinate Benches of this Court. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP, however, submits that the petitioner is named in the FIR.

Considering the fact that the accusation of assault is



not specific against the petitioner and co-accused persons already being granted anticipatory bail by Co-ordinate Benches of this Court and statement being made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge -X- cum- A.C.J.M., Patna in connection with Patrakar Nagar P.S. Case No. 308 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Dinesh Kumar Singh, J)**

DKS/-

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