

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47459 of 2019

Arising Out of PS. Case No.-41 Year-2019 Thana- MANER District- Patna

SUBHASH SINGH @ SUBHASH RAI Son of Hari Narayan Rai Resident of
Lodipur, P.S.- Maner, Distt - Patna.

... .. Petitioner/s

Versus

THE SATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Upendra Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 30-07-2019 The petitioner apprehends his arrest in connection with
Maner P.S.Case No. 41 of 2019 registered under Sections 147,
148,149,307,323,335,341,354B,379,427,504,506 and 120B of the
Indian Penal Code and 27 of the Arms Act.

Allegation against the petitioner, along with other accused
persons, 15 in numbers, attacked on the house of the informant and
on the order of petitioner, one Gopal Rai fired upon him causing
firearm injury on the thigh of the informant.

Learned counsel for the petitioner submits that petitioner
has falsely been implicated in this case due to village politics
inasmuch as petitioner is a PACS Chairman of Maner. He further
submits that both, prosecution side as well as other accused
persons are related to each other and there is case and counter case
in between the parties relating to the same incident inasmuch as
Maner P.S.Case No. 40 of 2019 was lodged from the side of other



accused. Learned counsel further submits that the case lodged by side of other accused persons is prior in time to the case lodged against the petitioner and others and similarly situated co-accused persons have been granted privilege of anticipatory bail by a co-ordinate Bench of this Court in Cr.Misc. No. 37383 of 2019. He submits that there is no overt act or specific allegation of assault is against the petitioner.

After having heard learned counsel for the parties and taking into consideration the fact that no overt act has been alleged against the petitioner and similarly situated co-accused persons have been granted privilege of anticipatory bail, accordingly, I am inclined to grant anticipatory bail to the petitioner. Let the petitioner, 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/- with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Danapur in connection with Maner P.S.Case No. 41 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

U		T	
---	--	---	--

