

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60773 of 2019

Arising Out of PS. Case No.-637 Year-2017 Thana- BODHGAYA District- Gaya

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ROHIT KUMAR Son of Gauri Shankar Pandey Resident of village-
Nebtapur, P.S.- Bodhgaya, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh

For the Opposite Party/s : Mr.Pramod Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-09-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Bodh Gaya Police Station Case No. 637 of 2017,
disclosing offences under Sections 147, 148, 149, 324, 326, 307
and 302 of the Indian Penal Code.

The allegation against the petitioner is that the
petitioner, along with other co-accused persons, i.e. wife of
Shatrughan Pandey and wife of Gauri Shankar Pandey, pulled
the father of the informant on the ground and other accused
persons assaulted the father of the informant by means of knife,
leading to the death of the father of the informant.

Learned Counsel for the petitioner submits that no
overt act has been alleged against the petitioner except the fact



that the petitioner, along with other co-accused persons, pulled the father of the informant on the ground. He further submits that there is counter version of the occurrence also inasmuch as Bodh Gaya Police Station Case No. 638 of 2017 has been lodged by co-accused Gita Devi for an incident which took place on the same day. He next submits that similarly situated co-accused persons, namely, Manita Kumari @ Manita Pandey and Beby Devi, have been granted anticipatory bail by this Court by orders, dated 08.08.2018 and 21.12.2018, passed in Criminal Misc. Nos. 45998 and 76519 of 2018, respectively.

After having heard learned Counsel for the parties and taking into consideration the fact that similarly situated co-accused persons have been granted bail by this Court, I am inclined to grant the petitioner privilege of anticipatory bail.

Accordingly, this application is allowed.

Let the petitioner, Rohit Kumar, in the event of his arrest or surrender before the Court below within four 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, Gaya, in connection with Bodh Gaya Police Station Case No. 637 of 2017, subject to the condition laid down under Section 438 (2)



of the Code of Criminal Procedure.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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