

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73719 of 2018

Arising Out of PS. Case No.-495 Year-2018 Thana- DANAPUR District- Patna

Mukesh Kumar, Son of Late Ram Lakhan Rai, Resident of Sultanpur,
Bhathapar, P.S. Danapur, Distt.-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Anant Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 09-01-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections
147/148/149/323/341/354(B)/447/379/325/504/506/509/308 of
the Indian Penal Code.

It is alleged that eleven accused persons named in the FIR
along with hundred unknown persons came at the under
construction house of the informant when on the order of co-
accused Bunt Kumar the accused persons including the
petitioner started assaulting the brother of the informant. When
the informant and her father came to rescue they were also
assaulted by the accused persons.

It is submitted by learned counsel for the petitioner that



there is a land dispute between the informant and co-accused Bunty Kumar and co-accused Bunty Kumar is not related to the petitioner, he has falsely been roped in the present case. It is further submitted that the injury caused to the brother of the informant has been found to be simple in nature and the accusation levelled against the petitioner is omnibus and general. Moreover, similarly situated accused persons have been granted anticipatory bail by co-ordinate Benches of this Court vide Cr. Misc. Nos. 74268 of 2018 and 74320 of 2018. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the petitioner are named in the FIR.

Considering the omnibus and general nature of accusation and in view the fact that similarly situated co-accused persons have been granted anticipatory bail by co-ordinate Benches of this Court, coupled with statement made in paragraph no.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 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten



thousand) with two sureties of the like amount each to the satisfaction of the learned **A.C.J.M.-I, Danapur**, in connection with **Danapur P.S. Case No.495 of 2018**, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Deepak/Ajeet/-

(Dinesh Kumar Singh, J)

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