

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71300 of 2019

Arising Out of PS. Case No.-237 Year-2019 Thana- DIGHA District- Patna

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DIN DAYAL PRASAD @ DIN DAYAL RAI S/O- Late Yogendra Rai R/V-
Nakta Diara, Digha Ghat, P.S.- Digha, Distt.- Patna at present resident of
Village- Polson Road Near at Maa Kali Mill, P.S.- Digha, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha, Adv.

For the Opposite Party/s : Mr.Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-12-2019 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehend his arrest in connection with **Digha**
P.S. case no. 237 of 2019, G.R. No. 3420 of 2019, instituted
for the offence under Section(s) 341,452,307,380,511 and 34 of
the Indian Penal Code.

Claiming parity with co-accused, persons, namely,
Daroga Rai @ Bhola Rai, Sanjay Kumar Rai @ Sanjay Rai @
Sanjay Kumar and Akhilesh Rai @ Aklesh Rai, who have been
granted the privilege of anticipatory bail in Cr. Misc no. 49360
of 2019, the petitioner's counsel submits that the same benefit
may be extended to the petitioner. The petitioner is said to be an
Ex Military personnel, having no criminal antecedents. He was



not arrested from the spot nor any incriminating material has been recovered from his possession. Submission is of false implication.

Having regard to the aforesaid submissions and the fact that specific allegation is attributed to co-accused, namely, Pramod Rai, this Court is inclined to extend the privilege of anticipatory bail to the petitioner.

The learned APP for the State opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of the petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the court below, within four (04) weeks from today, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **S.D.J.M. Patna**, in connection with **Digha P.S. case no. 237 of 2019, G.R. No. 3420 of 2019**, subject to the conditions as laid down under Section 438(2) Cr. P.C. subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to



inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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