

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81643 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- GHOSI District- Jehanabad

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1. Upendra Prasad Son of Munarik Yadav Resident of Village - Arhit, P.S.- Ghosi (Okari), District- Jehanabad
 2. Sujit Kumar Son of Upendra Prasad Resident of Village - Arhit, P.S.- Ghosi (Okari), District- Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh
For the Opposite Party/s : Mr. Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioners and learned APP
for the State.

The petitioners have filed the instant application for grant of anticipatory bail apprehending their arrest in a case registered for the offence under sections 379, 307, 34 and other sections of the Indian Penal Code.

As per allegation in the FIR, the accused persons including the petitioners herein are said to have taken away Rs. 50,000/- in cash on the pistol point from the informant.

It is submitted by learned counsel for the petitioners that from perusal of the FIR it would transpire that the allegation of assault with lathi is specifically on the co-accused Baban Kumar



and not these petitioners. It is further submitted that the allegation of taking away Rs. 50,000/- is false, concocted and unsubstantiated.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration that the main allegation of specific overt act is against Baban Kumar and not these petitioners, the court is inclined to enlarge the petitioners on bail. The petitioners above named, in the event of their arrest or surrender in the court below within a period of six weeks from today in connection with Ghoshi (Okari) P.S. Case No. 79 of 2019 are directed to be enlarged on bail on each of them furnishing bail bond of Rs 10,000.- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Judge I, Jehanabad subject to the conditions as laid down in section 438 (2) of Criminal Procedure Code.

(Partha Sarthy, J)

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