

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83980 of 2019

Arising Out of PS. Case No.-128 Year-2019 Thana- SANJHOLI District- Rohtas

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Mohit Kumar, Son of Shailendra Kumar Singh @ Shailendra Kumar Choudhary, Resident of Village-Uday Dehri, P.S.-Bikramganj, District-Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amar Prakash

For the Opposite Party/s : Mr.Ramchandra Singh

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

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

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 324, 307 and 506 of the IPC and Section 27 of the Arms Act.

The prosecution case is that on 02.09.2019 at about 10 A.M., 50-60 accused persons came variously armed and surrounded the house of the informant, thereafter all the accused persons resorted to fire, as a result, the Alto car parked in front of the house of the informant got damaged. Out of all the accused persons, the informant identified 11 accused persons including the petitioner.

It is submitted by learned counsel for the petitioner that



accusation of firing is omnibus and general against all the accused persons. It is further submitted that from the petitioner's side, at earlier point of time, Sanjhauli P.S. Case No. 127 of 2019 was lodged against the informant. Moreover, similarly situated co-accused, Hiran Chaudhary and Pintu Patel have been granted privilege of anticipatory bail by a Co-ordinate Bench of this Court, vide order dated 11.12.2019, passed in Cr. Misc. No. 81415 of 2019. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioner is named in the FIR with specific accusation.

Considering the fact the accusation of firing is not specific against the petitioner and other similarly situated co-accused persons have been granted anticipatory bail by a Co-ordinate Bench of this Court, coupled with the fact that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned ACJM, Bikramganj in connection



with Sanjhauli P.S. Case No. 128 of 2019, subject to the
condition as laid down under Section 438(2) of the Cr. P.C.

(Dinesh Kumar Singh, J)

Amrendra/-

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