

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6866 of 2020

Arising Out of PS. Case No.-55 Year-2015 Thana- KINJAR District- Jehanabad

Ravi Kumar, Son of Satyendra Singh, Resident of Village-Tekari, P.S.-Kinjar,
District-Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate

For the Opposite Party/s : Mr.Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 18-06-2020 The matter has been listed today for consideration through video conferencing in view of the nationwide lockdown on account of COVID-19 pandemic.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner is apprehending his arrest in connection with Kinjar P.S. Case No.55 of 2015 registered for the offence punishable under Sections 341, 323, 379, 354, 504/34 of the Indian Penal Code.

The petitioner along with other named co-accused



persons are alleged to have assaulted the informant on her wrist and pulled her *sari*. They have also allegedly attempted to take the life of her husband Ravindra Singh who came to intervene. *Mangal Sutra* and golden chain are also alleged to have been taken away. Co-accused Satyendra Singh and Satyanand Singh are said to be armed with iron *Khanti* and pistol respectively.

Learned counsel for the petitioner submits that there is no specific allegation of assault or snatching against the petitioner. The police found the case false and had submitted final form. Since cognizance was thereafter taken by the C.J.M., Arwal, the case has continued. Other co-accused have been allowed anticipatory bail by the District Judge, Jehanabad in A.B.P. No.112/2016 and A.B.P. No.867/2015. The petitioner earlier withdrew his Anticipatory Bail Petition No.956 of 2019 since in the course of hearing it appeared from paragraph 22 of the case diary that the petitioner was a minor. The matriculation certificate of the petitioner did not support the petitioner's plea for minority at the time of the alleged occurrence and as such, the petitioner has again renewed his prayer for anticipatory bail before the court of Additional Sessions Judge-VII, Jehanabad, which has been rejected under order dated 16.12.2019. It is stated that the petitioner has no criminal antecedents.



Learned APP for the State has opposed the prayer for pre-arrest bail.

Considering the rival submissions, this Court is inclined to allow the prayer made on behalf of the petitioner for grant of anticipatory bail.

Accordingly, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 the learned Additional Chief Judicial Magistrate-IV, Arwal, in connection with Kinjar P.S. Case No.55 of 2015, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also 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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