

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10625 of 2020

Arising Out of PS. Case No.-555 Year-2019 Thana- HILSA District- Nalanda

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1. JAI PRAKASH GOPE S/o Rama Nand Prasad Resident of Village- Dayalpur, P.S.- Hilsa, Distt- Nalanda.
 2. Dinesh Kumar Son of Rama Nand Prasad Resident of Village- Dayalpur, P.S.- Hilsa, Distt- Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Tej Narayan Singh

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 25-06-2020 Learned Counsel for the petitioners informs that the petitioner no. 2, Dinesh Kumar, has been arrested by the police during the pendency of this application and this application, so far as petitioner no. 2 is concerned, has become infructuous.

Accordingly, this application, so far as petitioner no. 2, is concerned, is dismissed as having become infructuous.

This application will now survive only for petitioner no. 1.

Heard learned Counsel for the petitioner no. 1 and learned Additional Public Prosecutor representing the State, through Video Conferencing.

This application, for grant of anticipatory bail, arises



out of Hilsa Police Station Case No. 555 of 2019, disclosing offences under Sections 341/379/323/504/354-A/307/34 of the Indian Penal Code

The allegation against the petitioner is that the petitioner, along with other accused persons, assaulted the informant and snatched away golden ear-ring worth Rs. 30,000/-.

Learned Counsel for the petitioner submits that there is no specific allegation against the petitioner inasmuch as from perusal of the First Information Report, it is evident that the allegation of assault is upon other co-accused persons. He further submits that the allegation against the petitioner is general and omnibus in nature and the petitioner is having no criminal antecedent.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that no overt act has been alleged against the petitioner and the petitioner has got no criminal antecedent, I am inclined to grant the petitioner no. 1 privilege of anticipatory bail.

This application is, accordingly, allowed.

Let the petitioner, above named, in the event of his arrest or surrender before the Court below within six 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 learned Additional Chief Judicial Magistrate, Hilsa, Nalanda, in connection with Hilsa Police Station Case No. 555 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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