

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8505 of 2020

Arising Out of PS. Case No.-192 Year-2018 Thana- KOCHADHAMAN District- Kishanganj

BINAY LAL HARIJAN @ BINOD KUMAR HARIJAN @ BINOD KUMAR
Son of Bhola Lal Harijan Resident of Tegharia, Police Station-Kochadhaman,
District-Kishanganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 02-03-2020 Heard learned counsel for the petitioner and the learned
APP for State.

Petitioner apprehends his arrest in connection with
Kochadhaman P.S. Case no. 192 of 2018 instituted for the
offence under Section(s) 341,342,323,308,447,147,427,379 and
504 of the Indian Penal Code.

The prosecution alleges that the petitioner along with
others have abused and assaulted the informant's son. The
informant has also subsequently been assaulted when he made
efforts to rescue his son.

The petitioner's counsel submits that there is general and
omnibus allegation against all the accused persons. The other
co-accused, namely, Ganesh Lal Harijan @ Ganesh Lal and



Shivani Devi @ Shivano Devi, having similar allegations, have been allowed the privilege of anticipatory bail in Cr. Misc. No. 26267 of 2019. The claim is for parity.

The learned APP for the State has 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 before the court below, named above, 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 JM 1st Class, **Kishanganj**, in connection with **Kochadhaman P.S. Case no. 192 of 2018**, 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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