

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7855 of 2020

Arising Out of PS. Case No.-171 Year-2019 Thana- JAMALPUR District- Munger

SANTOSH KUMAR S/o Sakaldev Yadav R/o village- Fulka Gumti, P.S.-
Jamalpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Sah

For the Opposite Party/s : Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 17-06-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Jamalpur PS case no. 171 of 2019 registered for the offences punishable under Sections 341, 342, 323, 354(B), 386, 504, 506, 120(B)/34 of Indian Penal Code.

The case of the prosecution in brief is that on 08.08.2019 at about 12.00 pm, the informant was going to his house from Jamalpur and on the way, a boy and one Vikram Bedi @ Chhotu, armed with pistol, stopped and dragged her to the edge of the road where they abused her and threaten to cut



her second hand if she does not withdraw the previous case.

The learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in the present case. It is further submitted that the name of the petitioner has transpired in the confessional statement made by co-accused person namely Vikam who has already been granted regular bail by a co-ordinate Bench of this Court vide order dated 16.01.2020, passed in Cr. Misc. no. 87350 of 2019.

The learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties as also taking into account the parity of the case of the petitioner with that of the co-accused person who has already been granted bail by a co-ordinate Bench of this Court, as also considering the fact that the petitioner is having a fair antecedent except being an accused in one other case, in which also, he has been implicated upon the confessional statement made by the co-accused persons, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six



weeks from the date of receipt/ production of a copy of this order, are directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Munger in connection with Jamalpur PS case no. 171 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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