

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8182 of 2020

Arising Out of PS. Case No.-235 Year-2019 Thana- BARGAINIA District- Sitamarhi

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VINAY KUMAR @ VINAY KUMAR SINGH Son of Late Sachidanand Prasad Singh Resident of - Patahi, P.S.- Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Sinha

For the Opposite Party/s : Mr.Satya Nand Shukla

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 19-06-2020 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, requiring social distancing.

Heard the learned counsel for the petitioner and the learned APP appearing for the State, Mrs. Anita Kumari Singh.

The petitioner apprehends her arrest in connection with Bairgania P.S. Case No. 235 of 2019, for the offence punishable under Sections 307, 504 and other allied sections of the Indian Penal Code.

The allegation is that while a procession was being taken up through the village Baheri on account of Durga Puja celebration, the FIR named accused persons including 250-300 unknown persons had indulged in brick batting, stone pelting



and assaulting the passers-by as also the police party and were playing D.J. on high sound.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that there is no allegation of any sort of specific overt act as far as the petitioner is concerned and no role has been attributed to him. It is further submitted that similarly situated co-accused persons have already been granted bail by co-ordinate Benches of this Court vide order dated 14.02.2020 passed in Cr. Misc. No. 84847 of 2019 and order dated 29.02.2020 passed in Cr. Misc. No. 8868 of 2020.

The learned A.P.P. appearing for the State has vehemently opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, taking into account the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by co-ordinate Benches of this Court, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, in the event of arrest or surrender before the learned court below within a period of four weeks from



today, the petitioner, above-named, shall be released on anticipatory bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi in connection with Bairgania P.S. Case No. 235 of 2019, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Mohit Kumar Shah, J)

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