

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8679 of 2020

Arising Out of PS. Case No.-242 Year-2019 Thana- PARSABAZAR District- Patna

NITISH KUMAR Son of Mukesh Kumar @ Mukesh Yadav Resident of
Rahimpur, Parsa, P.S.- Parsa- Bazar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shama Sinha

For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 28-02-2020 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 Parsa Bazar PS case no. 242 of 2019
registered for the offences punishable under Sections 147, 148,
149, 341, 342, 323, 332, 504, 307, 353, 333, 427 of Indian Penal
Code.

The allegation is regarding unknown miscreants
having tortured a person of unsound mind who was stated to be
a child-lifter and subsequently, the village spy is said to have
identified the petitioner as one of the mob members.

The learned counsel for the petitioner has
submitted that at best, the petitioner can be said to be one
member of the mob, however no specific allegation has been



levelled, as far as the petitioner is concerned. The petitioner is said to be having a clean antecedent and has got no role to play in the alleged incident.

Having regard to the facts and circumstances of the case and considering submissions made by the learned counsel for the petitioner, 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, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge VIII-cum-A.C.J.M., Patna in connection with Parsa Bazar PS case no. 242 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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