

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14461 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- MASAUDHI District- Patna

1. UMESH PRASAD S/o Jangha Yadav Resident of Village- Tineri, Math P.S.- Masaurhi, Distt- Patna.
2. Sonu Kumar S/o Umesh Prasad Resident of Village- Tineri, Mathm P.S.- Masaurhi, Distt- Patna.
3. Chunnu Kumar S/o Umesh Prasad Resident of Village- Tineri, Mathm P.S.- Masaurhi, Distt- Patna.
4. Sajjan Kumar @ Sajjan Kumar S/o Dinesh Prasad Resident of Village- Tineri, Mathm P.S.- Masaurhi, Distt- Patna.
5. Dinesh Prasad @ Nanhe Prasad S/o Jangha Prasad Resident of Village- Tineri, Mathm P.S.- Masaurhi, Distt- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satrudhan Kumar
For the Opposite Party/s : Mr. Ashok Kumar

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 08-09-2020 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 petitioners and Shri Ashok Kumar, learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Masaurhi P.S. Case No. 46 of 2020 for the offence registered under Sections 448, 341, 323, 307, 379, 354 and 325/34 of the



Indian Penal Code.

The allegation is regarding the accused persons being variously armed, having entered the house of the informant on the alleged date and time of occurrence whereafter they are stated to have misbehaved with the wife of the informant as also had assaulted the informant and other family members.

The learned counsel for the petitioners has submitted that the petitioners are innocent, they have been falsely implicated in the present case and are having clean antecedent. It is further submitted that a general and omnibus allegation has been levelled against the petitioners herein. Lastly, it is submitted that the petitioners are ready and willing to abide by such conditions as may be deemed fit and proper to be imposed by this Court for the purposes of grant of bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and having considered the materials on record as also the submissions advanced by the learned counsel for the parties, I am of the view that benefit of doubt can be given to the petitioners for the purposes of grant of anticipatory bail, however, subject to certain conditions since the investigation is



yet not complete, in absence of the petitioners herein, who have not presented themselves before the Investigating Officer.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi, Patna in connection with Masaurhi P.S. Case No. 46 of 2020 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the petitioners would mark their attendance before the Officer In-Charge of the concerned Police Station at 10:00 A.M. on every Monday of the week and in the event of their failure to do so on two consecutive occasion, the present privilege of bail shall stand cancelled automatically and the petitioners shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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