

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14588 of 2020

Arising Out of PS. Case No.-78 Year-2018 Thana- BHAGWAN BAZAR District- Saran

NAVIN KUMAR Son of Ajit Kumar Singh Resident of Village - Dhobaval
Dhupnagar, P.S. - Khaira, District - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 03-07-2020 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 Mr. Sanjay Kumar, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bhagwan Bazar P.S. Case No. 78 of 2018 registered for the offence punishable under Sections 341, 323, 324, 307, 302, 114, 504 and 34 of the Indian Penal Code.

The allegation is regarding the named accused persons having surrounded the son of the informant, whereafter they are alleged to have



assaulted him with fists and slaps as also the co-accused person, namely, Prashan Pathak had stabbed him by knife in his left rib, whereupon the informant was taken to the hospital, however, the Doctor declared him dead.

The learned counsel for the petitioner has submitted that the petitioner has not been named in the FIR, he has been falsely implicated in the present case on the basis of a supervision note of the Superintendent of Police, Saran and moreover, he is having a clean antecedent. It is further submitted that similarly situated co-accused person, namely, Anshu Kumar has already been granted the privilege of anticipatory bail by an order dated 24.1.2020 passed in Criminal Miscellaneous No. 2513 of 2020.

Per contra, 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 petitioner as also taking into account the parity of the case of the



petitioner with the co-accused person, who has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court, apart from the fact that the petitioner is having a clean antecedent and he has not been named in the FIR, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Saran at Chapra in connection with Bhagwan Bazar P.S. Case No. 78 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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