

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14720 of 2020

Arising Out of PS. Case No.-230 Year-2019 Thana- DARAUNDA District- Siwan

SHESHNATH BHAGAT S/o Rameshwar Bhagat @ Rameshwar Prasad
Resident of Village- Dhanauti, P.S.- Daraunda, Distt- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Satyendra Prasad
Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 07-07-2020 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 Ms. Anita Kumari Singh, the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Daraunda P.S. Case No. 230 of 2019 registered for the offence punishable under Sections 341, 323, 324, 307, 379 and 34 of the Indian Penal Code.



The allegation is regarding the co-accused person, namely, Praveen Kumar having inflicted a knife blow on the stomach of the informant, whereafter the accused persons including the petitioner had snatched a sum of Rs. 10,000/- from the money box situated at the Line Hotel of the informant.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that on account of some disputes in between the parties, the informant has falsely implicated the petitioner herein and moreover, as far as the petitioner is concerned, no allegation of any sort of overt act has been levelled against him, hence, he is entitled to be extended the privilege of anticipatory bail.

Per contra, the learned APP 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 and taking into account the fact that no specific allegation of any sort of overt act has been levelled against the petitioner herein and the petitioner is having a clean antecedent, 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 Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 230 of 2019, 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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