

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17818 of 2020

Arising Out of PS. Case No.-211 Year-2019 Thana- SALIMPUR District- Patna

SURAJ KUMAR Son of Arbind Yadav Resident of Village- Milki, P.S.-
Salimpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bikram Deo Singh, Adv. Mr. Satyaranjan Sinha, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-12-2020 Heard learned counsel for the petitioner and learned
APP for the State, through video conferencing.

The petitioner has filed the instant application for grant of anticipatory bail apprehending his arrest in connection with Salimpur P.S. Case No. 211 of 2019, registered for the offence punishable under sections 302, 120B and 34 of the Indian Penal Code and section 27 of the Arms Act.

As per allegation in the FIR, the husband of the informant was called and taken away by Gaurav Kumar and the petitioner. It is stated that the informant followed them and saw co-accused firing on her husband which hit him on his temple and he died.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and



concocted. No overt act has been alleged against the petitioner and his case stands on the similar footing to that of co-accused Gaurav Kumar, who has been enlarged on anticipatory bail vide order dated 27.8.2020 passed in Cr. Misc. No. 13789 of 2020. The petitioner has no criminal antecedent.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and in the facts and circumstances of the case, taking into consideration grant of bail to co-accused, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of eight weeks from today and in the event of his arrest or surrender in connection with Salimpur P.S. Case No. 211 of 2019, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Barh subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Partha Sarthy, J)

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