

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26738 of 2020

Arising Out of PS. Case No.-101 Year-2020 Thana- BUXAR District- Buxar

1. Vikash Tiwari, S/o Aman Tiwari, Resident of Mohalla- Vishwamitra Colony, P.S.- Buxar Industrial, District- Buxar.
2. Jaiki Khan, S/o Sabban Khan, Resident of Village- Barki Sarimpur, P.S.- Buxar Industrial, District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

2 06-11-2020 Heard learned counsel for the petitioners and the State.

The petitioners are apprehending arrest in connection with Buxar Nagar P.S. Case No. 101 of 2020 for the offence under Sections 341, 323, 427, 353, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that during the pendency of the present anticipatory bail application, petitioner no.1, namely, Vikash Tiwari, has been arrested and was granted regular bail by the court below itself.

In view of the above, the anticipatory bail application



filed on behalf of petitioner no.1, namely, Vikash Tiwari, has become infructuous.

Learned counsel for the petitioners submits that so far as petitioner no.2, namely, Jaiki Khan, is concerned, he has got no criminal antecedent.

Allegation against petitioner no.2, namely, Jaiki Khan, is that he along with others assaulted the constables, who were on duty at chek-post and took away mobile.

Learned counsel for the petitioner submits that petitioner no.2 is not present on the spot and he has been implicated in this case only on account of suspicion. He further submits that the mobile of constable was returned by one Lukki Khan.

Considering the totality of the facts and circumstances of the case, the petitioner no.2, namely, Jaiki Khan, in the event of arrest or surrender before the court below within one month from the date of communication of the order, is directed to be released on bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Buxar in connection with Buxar Nagar P.S. Case No. 101 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

(Anil Kumar Upadhyay, J)

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