

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24048 of 2020

Arising Out of PS. Case No.-751 Year-2019 Thana- MADHAURAH District- Saran

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JITENDRA KUMAR @ BHIM @ JITENDRA KUMAR S/O Sigar Chand
Sah @ Kajari Mistri Resident of Siswa Rasulpur, P.S. Marhowrah, Gaura
O.P., District - Saran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Harish Kumar

For the Opposite Party/s : Mr. Kalyan Shankar

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 16-10-2020 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 Shri Kalyan Shankar, learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Marhowrah Goura O.P. P.S. Case No. 751 of 2019 for the offence registered under Sections 341, 323, 324, 307, 379, 504, 506/34 of the Indian Penal Code.

The allegation is regarding the petitioner having caught hold of the informant while the co-accused person, namely, Pradeep Kumar had inflicted knife blow on the person of the



informant and thereafter, upon an alarm being raised by the informant, when the cousin brother of the informant had arrived, the co-accused person, namely, Pradeep Kumar had also assaulted him by knife in his abdomen.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that the petitioner has not been alleged to have inflicted any knife blow on the injured person, hence admittedly the petitioner is not having any complicity in the matter.

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, considering the submissions made by the learned counsel for the petitioner and taking into account the fact that no allegation of assault has been levelled as against the petitioner herein and he is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Saran in connection with Marhowrah Gaura O.P. P.S. Case No. 751 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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