

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29738 of 2020

Arising Out of PS. Case No.-31 Year-2019 Thana- KHIRI MORE District- Patna

Prince Kumar, Aged about 21 years, Male, S/o- Manoj Kumar, R/o- Village-
Makhmilpur, P.S.- Kinger, District- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-12-2020 Heard Mr. Birendra Kumar, the learned counsel for
the petitioner and Mr. Damodar Prasad Tiwary, the learned
Additional P.P. through video conferencing.

The petitioner apprehends his arrest in Khirimore P.S.
Case No.31 of 2019, registered under Sections 147, 148, 149,
341, 323, 325, 307, 504, 302 and 120B of the Indian Penal
Code.

Learned counsel for the petitioner submits that the
prayer for anticipatory bail of the petitioner was earlier rejected
vide order dated 04.11.2019, passed in Cr. Misc. No.67639 of
2019. It is further submitted that there is omnibus and general
allegations against all the accused persons. Ten persons are
named in the FIR and nine persons are unknown. The accused
persons are alleged to have armed with pistol, katta and iron rod
but no specific allegation is made against any of the accused
persons. The petitioner was mere member of the mob. Co-
accused have been granted regular bail by order passed in Cr.
Misc. No.81701 of 2019 on 11.12.2019 and Cr. Misc. No.72560



of 2019 on 20.12.2019. It is further submitted that Complaint Case No.89 of 2019 is pending in the court of learned Chief Judicial Magistrate, Arwal, hence, the petitioner may be enlarged on bail, but it appears from perusal of the records and the FIR that the petitioner and other accused persons are alleged to have indiscriminately assaulted Mohan Pandit, the brother of the informant. The informant was also assaulted and he got fracture injury in his hand. Mohan Pandit was left on the road. The informant brought his brother to Sadar Hospital from where he was referred to PMCH, but on way to PMCH, Mohan Pandit succumbed to the injuries. There is allegation against all the accused persons that they indiscriminately assaulted the deceased, Mohan Pandit and on such consideration, the prayer for anticipatory bail was earlier rejected.

I find no new ground to reconsider the prayer for grant of anticipatory bail of the petitioner and once again the prayer for grant of anticipatory bail of the petitioner is rejected.

(Prabhat Kumar Jha, J)

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