

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82878 of 2019

Arising Out of PS. Case No.-466 Year-2018 Thana- BAKHTIYARPUR District- Patna

1. JITENDRA PASWAN Son of Nagina Paswan Resident of Village - Baraki Mahammadpur, P.S.- Bakhtiyarpur, Distt.- Patna.
2. Vikash Paswan Son of Nagina Paswan Resident of Village - Baraki Mahammadpur, P.S.- Bakhtiyarpur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 21-01-2020 Heard the learned counsel for the petitioners and the learned APP for the State.

This is an application for grant of anticipatory bail in connection with Bakhtiyarpur P.S. Case No. 466 of 2018, registered for the offence punishable under Sections 147, 148, 149, 341, 323, 354, 307, 379, 427, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons including the petitioners herein having had an altercation with the informant and it is stated that thereafter, they had assaulted the informant on account of dispute having arisen with regard to the fare to be charged from the passengers of the auto rickshaw.



The learned counsel for the petitioners has submitted that the petitioners have been falsely implicated in the present case and they are having a clean antecedent. It is submitted that though there is no injury report on record to support the allegations levelled by the prosecution but the fact is that similarly situated co-accused persons have already been granted anticipatory bail by a coordinate Bench of this Court vide order dated 27.3.2019 passed in Criminal Miscellaneous No. 17576 of 2019.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioners, coupled with the fact that no specific accusation of assault has been levelled against the petitioners and similarly situated co-accused persons have already been granted anticipatory bail by the coordinate Bench of this Court, I deem it fit and proper to admit the petitioners to the privilege of anticipatory bail.

Accordingly, the petitioners are directed to be enlarged on anticipatory bail, in the event of their 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) each with two



sureties of the like amount each to the satisfaction of learned
A.C.J.M.-1st, Barh, Patna in connection with Bakhitayarpur P.S.
Case No. 466 of 2018, 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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