

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14738 of 2021

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

1. GAINU KUMAR Son of Sugambar Yadav, Resident of Village - Ranisaray, P.S. - Bakhtiyarpur, District - Patna.
2. Mantosh Kumar Son of Rambali Paswan, Resident of Village - Baraki Mahamadpur, P.S. - Bakhtiyarpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap, Adv.
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, APP

CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 17-12-2021 Learned counsel for the petitioners seeks permission to withdraw the application of petitioner no.2 (Mantosh Kumar) as he has already been arrested.

Permission is accorded.

The application of petitioner no.2 (Mantosh Kumar) is, accordingly, dismissed as withdrawn.

Heard learned counsel for petitioner no.1 (Gainu Kumar) and learned A.P.P. for the State.

Petitioner no.1 (Gainu Kumar) apprehends his arrest in Bakhtiyarpur P.S. Case No.466 of 2018 registered under Sections 147, 148, 149, 341, 323, 354, 307, 379, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. It is further submitted that similarly situated co-accused persons have already been granted anticipatory bail by different coordinate benches of this Court vide order dated 21.01.2020 and 04.03.2020 passed in Cr.Misc.No.82878 of 2019 and Cr.Misc.No.9524 of 2020 respectively (Annexure 2 series).

Having considered the above facts and circumstances of the case as well as the fact that similarly situated co-accused persons have already been granted anticipatory bail, petitioner no.1 (Gainu Kumar), in the event of his arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, is directed to 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 learned A.C.J.M. -1st, Barh, Patna in connection with Bakhtiyarpur P.S. Case No.466 of 2018, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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