

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21199 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- HAJIPUR District- Vaishali

Amit Kumar, aged about 27 years (M) Son of Ramsevak Mandal Resident of Village - Dighi Khurd, P.S.- Hajipur Sadar, District- Vaishali at Hajipur, Bihar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

with

CRIMINAL MISCELLANEOUS No. 22152 of 2020

Arising Out of PS. Case No.-78 Year-2020 Thana- HAJIPUR District- Vaishali

1. Suryadeo Singh @ Surya Singh, Age-63 years, Male S/o Late Billat Singh @ Biltu Singh
2. Hantar Aditya @ Ramjanam Kumar, Age-36 years, Male, S/o- Suryadeo Singh
3. Prem Singh, Age-30 years, Male, S/o- Sudin Singh All are residents - Dighi Khurd, P.S.- Hajipur Sadar, District- Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

(In CRIMINAL MISCELLANEOUS No. 21199 of 2020)

For the Petitioner : Mr. Yashraj Bardhan, Advocate

For the Opposite Party : APP

(In CRIMINAL MISCELLANEOUS No. 22152 of 2020)

For the Petitioners : Mr. N.K. Agrawal, Sr. Advocate

Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party : Dr. Mrityunjaya Kr. Gautam, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL ORDER

6 11-01-2021 Heard learned counsel for the petitioners of both the applications and learned Additional Public Prosecutor appearing on behalf of the State.

Mr. N.K. Agrawal, learned senior counsel appearing



on behalf of the petitioners of Cr. Misc. No. 22152 of 2020, submits that petitioner no. 3 (Prem Singh) has been arrested and as such, application for anticipatory bail on his behalf has become infructuous.

Accordingly, the application on behalf of petitioner no. 3 (Prem Singh) is disposed of as having become infructuous.

The petitioners of both the applications are apprehending arrest in connection with Hajipur Town P.S. Case No. 78 of 2020 for offences under Sections 341, 323, 325, 363, 365, 384 and 504/34 of the Indian Penal Code.

Learned counsel for the petitioners submits that so far as the petitioners of both the applications are concerned, they were not named in the first information report and even the witnesses to the FIR have not disclosed the names of the petitioners. Learned counsel submits that afterthought the petitioners have been made accused as there is no specific overt act against them.

Considering aforesaid, the Court is of the view that the petitioners of both the applications having no criminal antecedents deserve the privilege of anticipatory bail. Accordingly, both the applications are allowed. Let petitioners of both the applications, above-named, in the event of arrest or



surrender within one month from today, be released on bail on furnishing bail bond of Rs. 50,000/- (Rupees fifty thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 78 of 2020, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and with further condition that the petitioners shall cooperate the court below in early conclusion of the trial.

(Anil Kumar Upadhyay, J)

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