

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27428 of 2020

Arising Out of PS. Case No.-105 Year-2019 Thana- ARWAL District- Jehanabad

1. Puttu Kumar @ Putu, Son of Suresh Sao, Resident of Village- Motha, Police Station- Arwal in the district of Arwal.
2. Gyanti Devi, Wife of Puttu Kumar, Resident of Village- Motha, Police Station- Arwal in the district of Arwal

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioners and the learned APP for the State.

The petitioners are apprehending their arrest in connection with Arwal P.S. Case No.105 of 2019 registered for the offence punishable under Sections 448, 341, 323, 504, 302/34 of the Indian Penal Code.

The allegation is that along with six other persons, the petitioners have assaulted the informant's father, leading to his death.

Petitioners' counsel submits that though there is an allegation of assault by nine persons, only two injuries were found on the deceased. Other co-accused persons had also



approached the Court for grant of anticipatory bail. Considering this aspect of the matter, prayer in respect of Pintu Kumar, Niraj Kumar and Soni Devi (co-accused person) was allowed in Cr.Misc. No.64530 of 2019. Other co-accused have also been granted anticipatory bail in Cr.Misc. No.44473 of 2019. Prayer is also made on the ground of parity. It is further submitted that the petitioners bear clean antecedents.

Learned APP for the State has opposed the prayer for anticipatory bail.

Considering the rival submissions, this Court is inclined to allow petitioners' prayer for grant of anticipatory bail.

Accordingly, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from today, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Arwal, in connection with Arwal P.S. Case No.105 of 2019, subject to the conditions as laid down in Section 438(2) of the Code of Criminal Procedure as also subject to the following conditions:

- (i) That one of the bailors of each of the petitioners will be a close



relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners concerned. The bailors will also undertake to inform the court if there is any change in the address of the petitioners.

(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bonds will be liable to be cancelled.

This Court would expect that the petitioners' counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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