

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8860 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- KOILWAR District- Bhojpur

-
1. Shubham Singh @ Shubham Kumar Son of Shiv Nath Singh resident of village- Kulharia, Police Station- Koilwar, District- Bhojpur
 2. Bholu Singh @ Abhishek Singh Son of Ram Nath Singh resident of village- Kulharia, Police Station- Koilwar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.
For the Opposite Party/s : Mr. Ashok Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 26-11-2021 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID 19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

At the outset, the learned counsel for the petitioners seeks not to press the present anticipatory bail petition qua the petitioner no. 1.



Accordingly, the present petition qua the petitioner no. 1 stands disposed of as not pressed, however, with liberty to the petitioner no. 1 to surrender before the learned court below and seek regular bail.

This is an application for grant of anticipatory bail in connection with Koilwar P.S. Case No. 173 of 2020 registered for the offence punishable under Section 341, 323, 504 and 307/34 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioners herein having assaulted the informant and his son resulting in various types of injuries being inflicted upon them.

The learned counsel for the petitioner no. 2 has submitted that the petitioner no. 2 is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. It is further submitted that as far as the petitioner no. 2 is concerned, a general and omnibus allegation has been levelled.

Per contra, the learned APP for the State, Sri



Ashok Kumar, has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner no. 2 and taking into account the materials available on record, this Court finds that as far as the petitioner no. 2 is concerned, a general and omnibus allegation has been levelled and moreover, he is having a clean antecedent, hence, I deem it fit and proper to admit the petitioner no. 2 to the privilege of anticipatory bail.

Accordingly, the petitioner no. 2 is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the Ld. court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Koilwar P.S.Case No. 173 of 2020, subject to the conditions as laid down under Section 438(2) of the



Code of Criminal Procedure.

(Mohit Kumar Shah, J)

Ajay/-

U		T	
---	--	---	--

