

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.39099 of 2020

Raghunandan Yadav, aged about 48 years, Gender-Male, S/O Chaneshwar Yadav @ Chandeshwar Yadav, Residence of village-Sadipur P.S.-Banshi, District-Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nitya Nand Neeraj, Adv.

For the Opposite Party/s : Mr. Kanhaiya Kishore, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 01-06-2021 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 Ld. counsel for the petitioner and the Ld. A.P.P. for the State, Sri Kanhaiya Kishore.

This is an application for grant of anticipatory bail in connection with Banshi P.S. Case No. 40 of 2019 registered for the offence punishable under Sections 341, 323, 325, 307 and 504/34 of the Indian Penal Code.



The case of the prosecution in brief, according to the informant, is that the accused persons had arrived at the place of occurrence and had assaulted the informant with lathi (stick) on his head and legs.

The learned counsel for the petitioner submits that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that the petitioner is not named in the FIR and the fact is that similarly situated co-accused persons, who have been named in the FIR, have already been granted the privilege of bail by a coordinate Bench of this Court vide order dated 05.03.2020 passed in Criminal Miscellaneous No. 65625 of 2019.

Per contra, the learned APP for the State, Mr. Kanhaiya Kishore, 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 and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-accused persons, who have already been granted bail by a coordinate Bench of this Court, I deem it fit and proper to enlarge the petitioner above named, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on anticipatory 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 ACJM 1st, Arwal, in connection with Banshi P.S. Case No. 40 of 2019, 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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