

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40929 of 2020

Arising Out of PS. Case No.-96 Year-2019 Thana- MAHESI District- East Champaran

JAY PRAKASH KUMAR S/o Dinanath Sah Resident of Vill.- Kataha, P.S.-
Mehsi, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kundan Rathore@ Kundan Kumar

For the Opposite Party/s : Ms. Anita Kumari Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioner and Ms.
Anita Kumari Singh, the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Mehsi PS case no. 96 of 2019 registered for the offences punishable under Sections 307 and other allied sections of Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein having assaulted the informant and his family members.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is having a clean antecedent. It is further submitted that a general and omnibus allegation has been levelled and in fact, one co-accused person has already been granted privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated



04.03.2020, passed in Cr. Misc. no. 9923 of 2020.

Per contra, the learned APP for the State has vehemently opposed the prayer of 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 co-accused person who has already been granted anticipatory bail by this Court, with that of the petitioner herein, I deem it fit and appropriate to admit the petitioner to the privilege of anticipatory bail. Accordingly, the abovenamed petitioner, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Motihari, East Champaran in connection with Mehsi PS case no. 96 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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