

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39011 of 2020

Arising Out of PS. Case No.-583 Year-2019 Thana- HILSA District- Nalanda

PREM SAGAR KUMAR, son of Zulam Prasad @ Zulam Singh Resident of
Village- Murgiya Chak, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 31-05-2021 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, Sri Braj Kishore Prasad.

This is an application for grant of anticipatory bail in connection with Hilsa P.S. Case No. 583 of 2019 registered for the offence punishable under Sections 457 and 380 of the Indian Penal Code.



The allegation is regarding unknown persons having committed theft in the house of the informant.

The learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in three other cases, but he is on bail in all the three cases. It is also submitted that similarly situated co-accused person, namely, Chhotu @ Shashi Kant Kumar, has already been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 07.12.2020 passed in Criminal Miscellaneous No. 20828 of 2020.

Per contra, the learned APP for the State, Sri Braj Kishore Prasad, 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 person, namely, Chhotu @ Shashi Kant Kumar, who has already been granted the privilege of anticipatory 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 Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Hilsa P.S. Case No. 583 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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