

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40902 of 2020

Arising Out of PS. Case No.-284 Year-2016 Thana- MAHUA District- Vaishali

CHANDAN KUMAR SON OF CHANDESHWAR RAY RESIDENT OF
VILL.- MAHUA SINGH RAI, P.S- MAHUA, DIST.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan No.II, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-11-2021 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

This is an application for grant of anticipatory bail
in connection with Mahua PS case no. 284 of 2016 registered
for the offences punishable under Sections 307 and other allied
sections of Indian Penal Code.

The allegation is regarding 50-60 unknown
persons armed with *lathi*, *danda* and iron rod having assaulted
the informant with an intention to kill him.

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 bare perusal of the first information
report would show that no allegation whatsoever of any kind of



overt act, has been levelled against the petitioner and in fact, similarly situated co-accused persons have already been granted bail by a co-ordinate Bench of this Court vide order dated 31.08.2017, passed in Cr. Misc. no. 40027 of 2017 and the one dated 03.09.2019, passed in Cr. Misc. no. 55686 of 2019. The petitioner is stated to be having a clean antecedent.

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 fact that no specific allegation of any sort of overt act has been levelled against the petitioner, 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., Vaishali at Hajipur in connection with Mahua PS case no. 284 of 2016



subject to the conditions as laid down under Section 438(2) of
Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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