

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.39557 of 2020

**Arising out of P.S. Case No. 14, year- 2019, Thana- Phulparas District
East Champaran, Madhubani**

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1. Ashok Kamat, age about 40 years son of Ramdeo Kamat.
 2. Krishna Kumar Kamat @ Krishna age about 28 years son of Ram Kumar Kamat, both r/o vill- Suriyahi, P.S. Phulparas, District Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opp. Party/s

Appearance :

For the Petitioner/s : Mr. Ratanakar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 03-06-2021

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 learned counsel for the parties.

The petitioners apprehend their arrest in connection with Phulparas P.S. Case No. 14 of 2019 for the offence punishable under sections 307, 379 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

The petitioners and other accused persons are alleged to have assaulted the informant, after some altercation had taken place and to have snatched golden locket



from the neck of the informant.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the present case. The learned counsel for the petitioners has further submitted that a general and omnibus allegation has been levelled against the petitioners and no serious injury has been sustained by the informant. It is also submitted that similarly situated co-accused persons have already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 14.10.2019 passed in Cr. Misc. No. 61252 of 2019.

Per contra, the learned APP appearing for the State, Ms. Anita Kumari Singh has vehemently opposed the prayer of the petitioners for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the Ld. Counsel for the parties and taking into account the materials available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioner and moreover, similarly situated co-accused persons have already been granted anticipatory bail by a co-ordinate Bench of this Court, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.



Accordingly, in the event of arrest or surrender before the learned court below within a period of eight weeks from today, the petitioners, above-named, shall be enlarged on anticipatory bail on furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jhanjharpur/ successor court in connection with Phulparas P.S. Case No. 14 of 2019, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Mohit Kumar Shah, J)

Tiwary/-

