

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77932 of 2019

Arising Out of PS. Case No.-19 Year-2019 Thana- NAUBATPUR District- Patna

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ALOK KUMAR Son of Babuanand Sharma @ Onkar Nath Dwivedi Resident
of Village - Anantpur (Aropur), P.S. - Naubatpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Sarvan Kumar

For the Opposite Party/s : Mr.Rajeev Nayan (APP)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

7 12-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing on behalf of the State.

This application for grant of regular bail arises out of
Naubatpur P.S. Case No. 19 of 2019 registered for the offences
punishable under Sections 384, 386, 387, 353 and 506 of the
Indian Penal Code.

The petitioner is in custody since 06.04.2019. It
transpires from the F.I.R. that for an occurrence said to have
taken place on 03.01.2019, an F.I.R. was registered on
11.01.2019. According to the prosecution's case, the petitioner
and other co-accused persons who have been referred to as
noted criminals in the F.I.R. had gone to a construction site and
were allegedly demanding ransom. They are said to have



opened indiscriminate firing to intimidate the personnel present at the site.

Learned counsel appearing on behalf of the petitioner has argued that one Bharat Singh, against whom, there is identical allegation, has been allowed regular bail by this Court by an order dated 16.03.2020 passed in Cr. Misc. No. 73093 of 2019.

On perusal of the said order dated 16.03.2019 passed in Cr. Misc. No. 73093 of 2019 and the First Information Report as well as the case diary, I find force in submission made on behalf of the petitioner that this case cannot be distinguished from the case of co-accused Bharat Singh.

I have noticed from paragraph 3 of the application that the petitioner has criminal antecedent inasmuch as he is accused in three criminal cases. Since, however, the petitioner is in custody in connection with the present case since 06.04.2019 and the charge sheet has been submitted, this application is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Danapur, Patna, in Naubatpur P.S. Case No.



19 of 2019.

It goes without saying that if the petitioner is found indulging in such activities while on bail by virtue of the present order or tampering with the evidence or influencing the witnesses, the prosecution shall be at liberty to approach this Court for cancellation of his bail.

(Chakradhari Sharan Singh, J)

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