

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19151 of 2022

Arising Out of PS. Case No.-526 Year-2021 Thana- NAUBATPUR District- Patna

AMIT KUMAR S/o Navin Sharma Resident of Village- Chiraura, P.S.-
Naubatpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vasant Vikas, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Learned counsel for the petitioner seeks permission to
make rectification in Para-1 and 5 of the anticipatory bail
application.

Permission is accorded

The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 341, 323, 307 and 34 of
the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and is a young boy of
24 years of age and from bare perusal of allegation as alleged in
the FIR, it would manifest that no specific overt act has been
alleged against him, the allegation against the petitioner is general
and omnibus in nature, it is next submitted that similarly situated



co-accused, Subham Kumar @ Vishal Kumar, has been granted anticipatory bail by order dated 05.03.2022 in ABP No. 8503 of 2021 by the learned Additional Sessions Judge-VII, Danapur, Patna. The learned counsel for the petitioner next submits that it absolutely does not stand to reason that when petitioner was similarly situated like Subham Kumar @ Vishal Kumar, why the learned District Court did not exercise its jurisdiction based on parity.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Naubatpur P.S. Case No. 526 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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