

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62294 of 2021

Arising Out of PS. Case No.-189 Year-2020 Thana- KANTI District- Muzaffarpur

Vinay Kumar S/O Rajendra Roy R/o Village- Kaparpura, P.S.- Kanti, District- Muzaffarpur, At present posted in Assam Rifles Laitkor Lumheh Romlakrai East Khasi Hills, Meghalaya- 793010

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy, Advocate.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-06-2022 Heard learned counsel for the parties.

Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

The petitioner seeks anticipatory bail in connection with Kanti P.S. Case No. 189 of 2020, registered for the offences under Sections 147, 148, 149, 341, 323, 307, 354(B), 379, 504 of the Indian Penal Code and Section 27 of the Arms Act and later on added Section 302 of IPC.

Learned counsel for the petitioner submits that the petitioner is a constable in Assam Rifles and there is no specific allegation against him and two co-accused persons namely Ravindra Rai @ Ravindra Kumar and Rakesh Kumar have been granted bail by this Court vide order dated 02.12.2021 & 25.01.2022 passed in Cr. Misc. No. 38860 of 2020 and 12988 of 2021. As per the post mortem report the deceased died due to disease of lungs and only one injury has been found at his head



and the same is not specific against any of the accused persons including the petitioner. Further submission is that the petitioner was not present at place of occurrence at the time of occurrence and he was on duty in Assam Rifles at Meghalay and the deceased died after 15 days of the occurrence.

Learned APP has opposed the prayer of bail.

Having Considered the above submissions and mainly the fact that two co-accused persons carrying similar nature of allegation are enjoying the privilege of bail granted by this Court and present petitioner is stated to be a constable in Assam Rifles and against him there is no specific allegation in the FIR, let the petitioner, above named, in the event of his arrest/surrender within four weeks from today in the Court below, 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 learned 15th Additional District & Sessions Judge, Muzaffarpur in connection with Kanti P.S. Case No. 189 of 2020 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shailendra Singh, J)

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