

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56604 of 2022

Arising Out of PS. Case No.-578 Year-2019 Thana- MASAUDHI District- Patna

Benga Yadav @ Suraj Kumar, S/O Rama Yadav @ Ramakant Yadav Resident
Of Village- Chulayee Chauk, P.S.- Masaurhi, District- Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-11-2022 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 147, 148, 341, 337, 504, 506, 353, 307 and 427 of the I.P.C. and Section 30(a) of the Excise Act.

The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation against him is that he along with other accused persons obstructed the police party from discharging their official duty.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. The allegation against him is general and omnibus in nature. It is also submitted that similarly situated co-accused Bindu Yadav @ Bindu Kumar has been granted anticipatory bail by order dated 18.08.2020



in Cr. Misc. No.20175 of 2020 and Munna Kumar has been granted anticipatory bail by order dated 19.12.2019 in Cr. Misc. No.84324 of 2019.

Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Special Case No.6947 of 2019 arising out of Masaurhi P. S. Case No.578 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

However, the learned trial Court before accepting the bail bonds shall verify whether any process under Section 82 Cr.P.C. has been issued or not against the petitioner and in the event, if any process under Section 82 Cr.P.C. has been issued against the petitioner, the present anticipatory bail order shall not be acted upon

(Satyavrat Verma, J)

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