

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11555 of 2023

Arising Out of PS. Case No.-142 Year-2021 Thana- BARGAINIA District- Sitamarhi

1. SANGITA DEVI Wife of Virendra Sah Resident of Village- Jamua, P.S.-
Bairgania, District- Sitamarhi
2. MANISH KUMAR Son of Virendra Sah Resident of Village- Jamua, P.S.-
Bairgania, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha
For the Opposite Party/s : Mr. Jagdhar Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-05-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

This is second anticipatory bail petition on behalf of petitioners. Earlier, anticipatory bail petition of petitioners was rejected, vide order dated 17.10.2022 passed in Cr.Misc. No. 4436 of 2022.

The trial court report, which was called for vide order dated 29.03.2023, indicates that the matter is under investigation, so far as these petitioners are concerned, and awaiting for charge sheet / final form.

It is submitted by learned counsel for the petitioners that though the prayer for anticipatory bail of petitioners was



rejected on 17.10.2022, but after passing of said order, similarly situated three co-accused persons namely Sonelal Sah, Rajesh Prasad and Sanjeev Sah were granted anticipatory bail by this Court, vide order dated 09.11.2022 passed in Cr.Misc. No. 34345 of 2022 (Annexure 3) and the case of petitioners is on similar footing and as such, on the principle of parity, the case of the petitioners may be considered favourably.

Considering the aforesaid facts and circumstances and the fact that similarly situated co-accused persons have already been granted anticipatory bail, the prayer for anticipatory bail of petitioners is allowed. Let the above named petitioners, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Bairgania P.S. Case No. 142 of 2021, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Singh, J)

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