

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40378 of 2023

Arising Out of PS. Case No.-914 Year-2021 Thana- PURNIA COMPLAINT CASE District-
Purnia

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Anand Kumar @ Anand Mohan Gupta Son of Shri Radhey Shayam Sah
Resident of Village - Chakiya, P.S.- Barauni, District - Begusarai then police
officer K. Hat, Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Shahidul Son Of Md. Muslim Resident Of Village- Madhepura, Ps- K.
Hat., District- Purnea

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Deepak Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Sunil Kumar Pandey, APP
For the Complainant	:	Mr. Nafusuzzoha, Advocate

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-08-2023 1. Heard learned counsel for the petitioner, learned
counsel for the complainant and learned A.P.P. for the State.
2. The petitioner apprehends his arrest in Complaint
Case No. 914 of 2021 registered for the offences punishable
under Sections 149, 323, 325, 354(B), 426, 504 and 506 of the
Indian Penal Code.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and his case is
squarely covered by the case of Mithilesh Kumar who had
moved before this Court by filing Cr. Misc. No. 26934 of 2023
which was disposed of by a reasoned order dated 06.07.2023,



after hearing the I.G., Purnea Range along with Rail Superintendent of Police, Muzaffarpur.

4. Learned counsel for the petitioner submits that allegation against the petitioner, if not identical, is akin to what has been alleged against Mithilesh Kumar and since the I.G., of the Purnea Range has already submitted before this Court that action on the administrative side against the accused persons would be taken after examining the matter, as such, the petitioner should also be given the privilege of anticipatory bail.

5. Learned A.P.P. for the State and learned counsel for the complainant oppose the prayer for anticipatory bail of the petitioner but then fairly concedes that Mithilesh Kumar has been granted the privilege of anticipatory bail and the case of the petitioner is also similar to that of Mithilesh Kumar, as petitioner is also a police officer.

6. 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. 10,000/- (Rupees Ten 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 Complaint Case
No. 914 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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