

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45573 of 2023

Arising Out of PS. Case No.-351 Year-2022 Thana- MANJHAGARH District- Gopalganj

Sachin Kumar S/O- Shambhu Prasad Village- Mishrauliya Ps- Manjhagarh
Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

- 2 04-08-2023 1. Heard the learned counsel for the petitioner and learned APP for the State.
2. This is an application for grant of anticipatory bail in connection with Manjhagarh P.S. Case No.351 of 2022, registered for offences under Sections 341, 323, 324, 307, 354, 379, 504, 506/34 of the IPC.
3. The allegation is regarding the accused persons having engaged in forcibly capturing the land of the informant and sowing paddy therein and when the informant and his family members had arrived there, they are alleged to have assaulted them.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted that specific allegation of assaulting the informant by *farsa* is on the co-accused person, namely, Gulshan Kumar, hence the petitioner is not having any complicity in the alleged crime. It is also submitted that similarly situated co-accused person has already been granted the privilege of anticipatory bail by a co-ordinate Bench of this Court, vide order dated 23.06.2023, passed in Cr.Misc. No.20213 of 2023.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the parity of the case of the petitioner with that of the co-



accused person, who has already been granted the privilege of anticipatory bail, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

7. Accordingly, the above named petitioner is directed to be enlarged on anticipatory bail, in the event of his arrest or surrender before the court below, within a period of four weeks from the date of receipt/production of a copy of this order, on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj in connection with Manjhagarh P.S. Case No.351 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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