

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55849 of 2022

Arising Out of PS. Case No.-244 Year-2020 Thana- AMNAUR District- Saran

JANNU RAI @ JANU KUMAR Son of Umesh Ray Resident of village -
Narayanpur, P.S.- Taraiya, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Narendra Kumar

For the Opposite Party/s : Mr.Bhanu Pratap Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

7 22-05-2023 Heard the learned counsel for the petitioner and the learned
A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Amnour P.S. Case No. 244/20, registered for the offence punishable under Sections 147, 323, 324, 307, 384, 504, 506 of the Indian Penal Code.

The allegation is regarding the accused persons having intercepted the informant and his friends while they were going on their motorcycles and had reached at village Amnour, whereafter the accused persons had disclosed that they were police personnel and then upon the informant having contradicted them by telling them that they were not police personnel they had started assaulting the informant. It is further alleged that the informant and his friends were brutally assaulted, whereafter the accused persons had fled away,



however, subsequently, one of the co-accused person, namely, Sonu Singh, was apprehended and in his confessional statement, he disclosed about the identity of his accomplices including that of the petitioner.

The learned counsel for the petitioner submits 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 neither any Test Identification Parade has been conducted so as to connect the petitioner with the alleged crime nor any material has come on record to suggest the complicity of the petitioner in the alleged crime and he has merely been roped in the present case, upon the confessional statement made by the co-accused person before the police, which has got no evidentiary value in the eyes of law.

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

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, taking into account the materials available on record as also considering the fact that the petitioner is having a clean antecedent and neither any Test Identification Parade has been



held so as to connect the petitioner with the alleged crime nor any evidence has come on record to connect the petitioner with the alleged occurrence, I deem it fit and proper to admit the petitioner to the privilege of anticipatory bail.

Accordingly, the 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 Additional Chief Judicial Magistrate, IX, Saran at Chapra in connection with Amnour P.S. Case No. 244/20, 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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