

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69147 of 2023

Arising Out of PS. Case No.-469 Year-2020 Thana- SUPAUL District- Supaul

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1. JAINANDAN KUMAR @ PRAKASH YADAV S/O SATYDEO NARAYAN R/O VILLAGE- CHAKLA, P.O- SAKHUA, P.S- PIPRA, DISTT.- SUPAUL, BIHAR- 852218.
 2. ARUN KUMAR S/O GANESHI YADAV R/O VILLAGE- CHAKLA, P.O- SAKHUA, P.S- PIPRA, DISTT.- SUPAUL, BIHAR- 852218.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kuldeep Kumar, Adv.
For the Opposite Party/s : Mr.Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-11-2023 1. Heard learned counsel for the Petitioners and
learned APP for the State

2. Petitioners apprehend their arrest in connection with Supaul P.S. Case No. 469 of 2020 dated 04.07.2020 registered for the offences punishable under Sections 419 and 420 read with Section 34 of the Indian Penal Code.

3. The main submissions advanced by learned counsel for the petitioners are that against petitioner No. 2, there is no criminal antecedent and against the petitioner No. 1 there is criminal antecedent of one case which was lodged on the basis of complaint, in which he has got bail and several co-accused persons have been granted anticipatory bail by this Bench as



well as co-ordinate Bench of this Court vide orders passed in Cr. Misc. Nos. 56986 of 2023, 49643 of 2021 and 7563 of 2023 and case of both the petitioners stands on similar footing with them, in fact, the physical examination in which some other persons were allegedly replaced in place of the petitioners for clearing the examination was held in the month of September - October of 2019 but the FIR was registered on 04.07.2020 about 9 months after the alleged occurrence, which casts a serious doubt in the allegations levelled against the petitioners.

4. Learned APP appearing for the State has opposed the prayer for bail of the petitioners.

5. Considering the above submissions and mainly petitioners' case being similar to above-mentioned co-accused persons who have been granted anticipatory bail, this Court is inclined to accept the prayer for anticipatory bail of the petitioners. Accordingly, let the petitioners named-above, in the event of their arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/-(Ten Thousand) each with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Supaul P.S. Case No. 469 of 2020, subject to the condition as laid down



under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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