

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34688 of 2024

Arising Out of PS. Case No.-615 Year-2023 Thana- BARUN District- Aurangabad

Manish Kumar son of Arvind Yadav @ Arvind Kumar Singh R/o - vill -
Pandit Bigha, P.S- Barun, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha
For the Opposite Party/s : Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 302 and 379 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case. It is next submitted that
the informant, who is not an eyewitness to the occurrence
alleges that the accused persons including the petitioner
assaulted his brother leading to his death. It is further submitted
that one of the accused in the instant F.I.R. is Ranjan Kumar,
who is own brother of the informant and the deceased. It is thus
submitted that the informant even implicated his own brother in
the instant case. It is also submitted that from perusal of the



allegation as alleged in the F.I.R., it would manifest that the informant alleges that his brother had gone to Aurangabad and when he returned from Aurangabad, he called him up and informed that the motorcycle which he had left near the bus stand is missing, as such, the informant asked him to search the motorcycle, further one Vijay Kumar informed that ten accused persons including the petitioner had forcefully taken his brother in a car towards Malpur, on which, it is alleged that the informant also went in search of his brother and when he reached the outskirts of the village, he saw the accused persons assaulting his brother by hockey-stick, rod, belt, wood etc. and when they saw the informant, they fled and the informant accordingly informed the police, thereafter the police came and the victim was taken to hospital, where he died during the course of treatment. It is also submitted that similarly situated co-accused Tandal Kumar had approached this court seeking anticipatory bail by filing Cr. Misc. No.18201/2024 and the same was allowed by an order dated 01.04.2024, thus seeking parity the learned counsel seeks anticipatory bail for the petitioner.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.



5. 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 Court below 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 Barun P.S. Case No.615/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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