

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74602 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- JAGDISHPUR District- Bhagalpur

Sunil Kumar, S/o- Sital Mandal, Resident of Village- Khurd Chirayan, Police
Station-Jagdishpur, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 25-10-2024 Heard Mr. Dr. Manoj Kumar, learned counsel for the
petitioner and Mr. Umanath Mishra, learned APP for the State.

2. The petitioner apprehends his arrest in connection with Jagdishpur P.S. Case No. 92 of 2024 dated 19.03.2024 registered for the offences punishable under Sections 147, 148, 149, 188, 353, 307, 379, 411, 504 and 506 of the Indian Penal Code and Section 56 of BMMC Rule, 2021 and Section 27 of the Arms Act.

3. Learned counsel appearing for the petitioner submits that the name of this petitioner surfaced in the present matter on the basis of statement of apprehended co-accused, namely, Dhananjay Kumar who disclosed the name of this petitioner due to previous village enmity and from bare perusal of the FIR itself, it appears that the petitioner is not the owner of



the alleged vehicle (Scorpio) and there is general and omnibus allegation against him for pressurizing the police to release the seized loaded sand tractors. It is submitted that there is no allegation against the petitioner of attacking the raiding team and he was not even apprehended at the place of occurrence and from perusal of the order impugned, it appears that two cases are pending against the petitioner but the said fact has been wrongly mentioned in the order impugned, in fact he has fair and clean antecedent. It is further submitted that the co-accused, namely, Kewal Kishore Singh @ Kewal Kishore has been granted anticipatory bail by this Bench vide order dated 19.08.2024 passed in Cr. Misc. No. 45381/2024.

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

5. Considering the facts and circumstances of this case as well as above submissions mainly coupled with these facts that the petitioner has fair and clean antecedent and as per above submission, his name surfaced in the statement of apprehended co-accused Dhananjay Kumar and other co-accused Kewal Kishore Singh, whose name also surfaced in the statement of said co-accused Dhananjay Kumar, has been granted anticipatory bail by this Court and there is no specific



allegation against this petitioner, in my opinion, the petitioner deserves to the relief of anticipatory bail. Accordingly, let the petitioner named-above, 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 bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned in connection with Jagdishpur P.S. Case No. 92 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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