

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79948 of 2024

Arising Out of PS. Case No.-249 Year-2023 Thana- BIHTA District- Patna

Monu Kumar S/o- Vinod Kumar @ Vinod Rai Resident of village-
Laxmanpur Lachhmanpur kamla Gopalpur PS- Bihta District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and Mr. Yogesh Kumar, learned APP for the State.

2.The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Bihta P.S. Case No. 249 of 2023 instituted for the offence under Sections 341, 342, 307, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The case of the prosecution is that while the informant along with his brother was having meals, at that time the petitioner along with others being armed with knife, pistol, lathi, danda and iron rod arrived. Jitendra managed to escape and other family members also fled away. The informant and his



brother Harendra Rai were being surrounded by the accused persons.

4. From perusal of the FIR, it is clear that there is general and omnibus allegation that all the accused persons assaulted the informant and his brother. Sonu assaulted with iron rod on the head of the informant. The brother of the informant was also being assaulted. From perusal of the FIR, it is clear that the nature of allegation is general and omnibus and there is no specific allegation against this petitioner.

5. It has been submitted by the learned counsel of the petitioner that one of the co-accused, namely, Sonu has been granted anticipatory bail by co-ordinate Bench vide order dated 09.07.2024 passed in Cr. Misc. No.23632 of 2024. The case of this petitioner stands on better footing.

6. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Bihta P.S. Case No. 249 of 2023, he will be



enlarged on bail 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, Ist Class, Danapur subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Ashok Kumar Pandey, J)

Prakash Narayan

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