

all false and the petitioner no.2 was not present at the place of occurrence. It is then submitted that the petitioner no.2 is ready and willing to furnish sufficient security including cash security and undertakes to cooperate with the investigation of the case. Hence, it is submitted that the petitioner no.2 be given the privilege of anticipatory bail.

Learned Addl. P.P. opposes the prayer for grant of anticipatory bail.

Considering the submissions of the counsels and the fact as discussed above, I am of the opinion that it is a fit case where the above named petitioner no.2 be given the privilege of anticipatory bail. Hence, in the event of his arrest or surrender within a period of six weeks from the date of this order, he shall be released on bail on depositing cash security of Rs.5000/- and on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Madhupur, in connection Budhai P.S. Case No.02 of 2020 with the condition that the petitioner no.2 will cooperate with the investigation of the case and appear before the Investigating Officer as and when noticed by him and will furnish his mobile number and a copy of his Aadhar Card in the court below with the undertaking that he will not change his mobile number during the pendency of the case subject to the conditions laid down under section 438 (2) Cr. P.C.

Perusal of the record reveals that the Filing Section of this Court has not pointed out that Hirman Singh has already been given the privilege of anticipatory bail vide order dated 12.02.2021 in A.B.A. No.7744 of 2020 now it has been pointed out that he filed an earlier anticipatory bail application.

The Registrar General of this Court is directed to conduct an enquiry in the administrative side and take appropriate action against the errant officer who failed to point out the earlier filing of the anticipatory bail application of the petitioner no.1.

(Anil Kumar Choudhary, J.)