

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.20646 of 2016**

Arising Out of PS.Case No. -180 Year- 2014 Thana -ALAMNAGAR District- MADHEPURA

Kare Mukhiya son of Mataru Mukhiya, resident of village- Parail, Police Station- Alamnagar (Ratwara O.P.), District- Madhepura.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhijeet Gautam, Advocate

For the Opposite Party/s : Mr. Manish Kumar No.2, APP

**CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH**  
**ORAL ORDER**

2 23-05-2016

Heard learned counsel for the petitioner.

Despite repeated calls, none appears on behalf of the State.

The petitioner seeks pre-arrest bail in connection with Alamnagar P.S. Case No. 180 of 2014 registered under Section 379 of the Indian Penal Code.

It is submitted by the learned counsel for the petitioner that similarly circumstanced co-accused Subodh Kumar has already been granted pre-arrest bail by a Bench of this Court vide order dated 26.5.2015 passed in Cr. Misc. No.13831 of 2015. It is further submitted that from perusal of the FIR itself it would appear that a malicious prosecution has been launched against the petitioner as ingredients of the offence punishable under section

379 of the Penal Code are wanting.

Be that as it may, regard being had to the nature of allegation and the other attending circumstances of the case, in the event of arrest or surrender in the court below within six weeks from today, the above named petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Udakishunganj, Madhepura in connection with Alamnagar P.S.Case No.180 of 2014 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Ashwani Kumar Singh, J)**

Md.S./-

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