

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.7687 of 2017

Arising Out of PS.Case No. -177 Year- 2016 Thana -MUSAHRI District- MUZAFFARPUR

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Abhishek Trivedi, son of Arun Kumar Trivedi, resident of village
Madhopur, P.S. Mushahari, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Man Mohan Kumar, Advocate

For the Opposite Party : Dr. Indihar Kumari (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 28-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner apprehends his arrest in connection
with Mushahari P.S. Case No. 177 of 2016, registered for the
offences punishable under Sections 420, 353, 188, 467, 211/34 of
the Indian Penal Code.

Allegedly, at the instigation of the petitioner co-
accused Ratnesh Kumar Singh lodged a false case to take
compensation from insurance company with allegation that three
motorcycle borne criminals at the point of pistol tried to snatch the
vehicle.

Submission is of false implication and that the
petitioner has not instigated co-accused to lodge any case, it was
the brain child of co-accused and he himself lodged the false case.



The petitioner has got no concern and only on the basis of the statement of co-accused the petitioner is being searched for his arrest and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail by submitting that the petitioner has instigated co-accused to lodge the false case.

In the facts and circumstances as stated above, considering that the name of the petitioner has come in the statement of co-accused and besides that there is no other material against the petitioner and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 Sub-Judge-3rd-cum- A.C.J.M., Muzaffarpur, in connection with Mushahari P.S. Case No. 177 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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