

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24439 of 2019

Arising Out of PS. Case No.-52 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

1. MUNI JAISWAL @ ALOK KUMAR JAISWAL @ MUNNI JAISWAL, Son of Sunil Kumar Jaishwal.
2. Guddu Yadav @ Guddu Yadav, Son of Ram Dhiraj Yadav
Both are residents of Village - Daidikhili, P.S.- Durgawati, District - Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sandip Shahi Mr. Santosh Kumar Pandey
For the State	:	Mr. S.N. Shukla, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 19-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Mohaniya P.S. Case No. 52 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 504, 427, 332, 333, 353 and 379 of the Indian Penal Code.

The informant has described themselves to be the Enforcement Sub-Inspector in the office of the District Transport Office, Kaimur. It is alleged that he had intercepted a truck, which was found over-loaded. Allegedly, in order to get the truck released forcibly from his custody, a number of persons assembled, including the persons named in the First



Information Report. They are said to have assaulted him and damaged the Government vehicle. It is alleged against the co-accused, Kamlesh Kumar that he snatched his money receipts and some cash.

Learned Counsel appearing on behalf of the petitioners has submitted that as a matter of fact, the informant himself was indulging in illegal activities and collecting illegal money from the transporters, which is apparent from the First Information Report itself, which indicates that there was no police party with him while he was checking the vehicle.

Considering the nature of accusation, this application is allowed.

Let the petitioners, above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua in Mohaniya Police Station Case No. 52 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case



may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

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