

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26232 of 2019

Arising Out of PS. Case No.-363 Year-2018 Thana- KHAGARIA District- Khagaria

Mithlesh Kumar, aged about 21 years, Male, son of Bulu Paswan, resident of Village - Sansarpur, P.S.- Mufassil, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Jai Kishor Poddar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY

ORAL ORDER

2 23-04-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

In this case, the petitioner is seeking anticipatory bail in connection with Khagaria (Muffasil) P.S. Case No. 363 of 2018, registered for the offence under Sections 448, 341, 323, 324, 504 and 506/34 of the Indian Penal Code and under Section 25(1-B) (A), 35 of the Arms Act.

As per the F.I.R. on 04.06.2018 at about 03:00 pm., a quarrel took place between the wife of the informant and co-accused - Pramila Devi, on which co-accused - Pramila Devi, threatened for dire consequences. It has also been alleged that at about 07:30 pm., while the informant was talking with his wife and son, the petitioner and co-accused Nitish Kumar along with 2-3 persons came there and Nitish Kumar put pistol on the head



of his son. On raising alarm, the accused persons fled away. Allegation has been made against the petitioner that he assaulted his wife with first.

Considering the entire facts and circumstances of the case, let the above-named petitioner be released on anticipatory bail in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Muffasil) P.S. Case no. 363 of 2018, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure. Further condition is that whenever the police will call the petitioner for the purposes of investigation and interrogation, he will remain present for the investigation. In the event of being absent on two consecutive dates without reasonable explanation, the present order will be treated to have been cancelled.

(Shivaji Pandey, J)

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