

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69341 of 2019

Arising Out of PS. Case No.-464 Year-2018 Thana- PATRAKARNAGAR District- Patna

1. SRI MITHU KUMAR @ NAVNEET KUMAR AMIT S/o Krishna Jiwan Singh Resident of Village- Shitkund, P.S.- Munger, Dist.- Patna.
2. Sujit Kumar @ Kumar Sujeet Dhiraj S/o Savindra Prasad R/o Akangar Sarai Maharajganj, P.S.- Ekangarsarai, Dist- Nalada. At present- P/2 Vidyapuri, Kankarbagh, P.S.- Patrakar Nagar, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Kumar
For the Opposite Party/s : Mr.Uday Pratap Singh

CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL

ORAL ORDER

2 12-12-2019 Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 354, 447, 384, 504 and 506 of the Indian Penal Code.

Co-accused Arvind Choudhary along with his relatives and some unsocial elements including the petitioner is said to have removed the articles from the clinic of the informant and locked the door of the clinic and went on rampage slating him.

It is submitted by learned counsel for the petitioner that the petitioner has no concern with the aforesaid



occurrence. He has been falsely implicated in this case merely because he happens to be relative of Arvind Choudhary. As a matter of fact, building in question belong to said Arvind Choudhary and there was SARFESI proceeding is going on regarding the same, which was auction sold and the matter is pending before the court of competent jurisdiction and in order to put pressure upon Arvind Choudhary, informant has lodged this false and frivolous case against the petitioner and others. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is case and counter case between the parties. Co-accused Arvind Choudhary @ Arvind Kumar Choudhary has been enlarged on anticipatory bail by co-ordinate Bench of this Court vide order dated 06.11.2019 passed in Cr. Misc. No.69463 of 2019. The petitioner has no criminal antecedent.

Learned APP for the State opposed the bail petition.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties



of the like amount each to the satisfaction of the learned Sub-Judge- VIII, Patna in connection with Patrakar Nagar P.S. Case No. 464 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the Court concerned with further condition that he will not in any way disturb the possession of the informant, till the matter of auction purchase is, decided by any Court of competent jurisdiction.

(Prakash Chandra Jaiswal, J)

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