

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18118 of 2020

Arising Out of PS. Case No.-374 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

1. KAMLESH KUMAR MISHRA Son of Kedar Mishra Resident of Mohalla - Kainal Road, Mahaveer Asthan, P.S.- Sasaram, District - Rohtas
2. Satendra Dubey Son of Late Narad Dubey Resident of Village - Kathdihri, P.S.- Sasaram, District - Rohtas
3. Dhanjee Singh @ Dhanji kumar singh Son of Uday Narain Singh Resident of Village - Sisrit, P.S.- Nokha, District - Rohtas.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr. Nityanand Tiwari, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 07-08-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For Orders' under the orders of Hon'ble the Chief Justice.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 506, 406/34 of the Indian Penal Code.

Prosecution allegation against the accused persons is of forcibly stopping his vehicle and thereafter assaulted him with but. The accused persons also snatched cash amount from him.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of



tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Prior to institution of the present case, a complaint case was filed by the accused side on 8.8.2019 against the informant side. The present false case has been instituted against the petitioner and others in retaliation to the Annexure-2 to the present application. It is a mala fide prosecution.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioners above named, in the event of arrest or surrender before the learned Court below within a period of eight weeks from today, be released on anticipatory bail on their personal bonds to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (M) (Muf) P.S. Case No. 374 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

Once the normalcy is restored, the petitioners shall furnish bail bonds of Rs. 10,000/- (Rupees ten thousand) each with two sureties of the like amount each within a period of seven weeks to the satisfaction of the Court concerned in connection with the aforesaid case.

Pankaj/-

(Sudhir Singh, J)

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