

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32152 of 2020**

Arising Out of PS. Case No.-77 Year-2019 Thana- JAMOBABAZAR District- Siwan

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MUKESH KUMAR Son of Am Pravesh Mahto Resident of Village- Barhoga
Parsotim Chand Tola, Police Station- Jamo Bazar, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Advocate

For the Opposite Party/s : Ms. Sangeeta Sharma, APP.

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-12-2020 Heard learned counsel for the petitioner and learned

APP for the State through video conference. Learned counsel for
the petitioner undertakes that all defects pointed out by the
stamp reporter shall be removed, and compliance with the
conditions of the notices of this Court with regard to acceptance
of e-filing shall be made, without delay immediately upon
resumption of normal physical functioning of the Court, and in
any event within one month thereof.

2. The petitioner is in custody since 12.06.2020 in
connection with Jamo Bazar P.S. Case No. 77 of 2019 for the
alleged offences under Sections 147, 149, 341, 323, 324, 307,
379 and 504 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely



implicated and there is case and counter case between the parties. There is delay of two days in institution of the FIR on 16.05.2019 for the alleged occurrence of 14.05.2019. The allegation of assault by the petitioner with *farsa* on the head of the informant is not supported by the injury report as the two injuries are said to have been caused by hard and blunt substance. The allegation of assault with *lathi* is general and omnibus against all accused persons. The allegation of snatching the gold chain and nose pin is mere embellishment. The petitioner claims clean antecedents.

4. Learned APP appears and has been heard.

5. Be that as it may and having regard to the period of custody already suffered since 12.06.2020, let the petitioner above named 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 Additional Chief Judicial Magistrate, XIII, Siwan in connection with Jamo Bazar P.S. Case No. 77 of 2019, if he is not otherwise required in any other case.

6. Office shall follow-up to ensure that all defects are removed and compliance with the notices of this Court are made by the petitioner within the stipulated time provided in para 1



hereinabove, failing which the matter shall be brought to the
notice of this Court.

(Vikash Jain, J)

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