

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.67826 of 2019

Arising Out of PS. Case No.-66 Year-2019 Thana- MUNGER MUFFASIL District- Munger

KUMOD KUMAR @ KUMOD YADAV, aged about 25 years, Male, Son of
Bishundeo Yadav Resident of Village - Banarasi Rai Tola Tikarampur, Ward
No. 3, P.S.- Mufassil, District- Munger ... Petitioner

Versus

THE STATE OF BIHAR ... Opposite Party

Appearance :

For the Petitioner : Mr. Shashi Bhushan Singh, Adv.

For the Opposite Party : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 29-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Muffasil P.S. Case No. 66 of 2019 (G.R. No. 529 of 2019),
registered under Sections 341, 323, 379, 504, 384 and 349 of the
Indian Penal Code and 27 of the Arms Act.

The accusation is that the informant, Vivek Yadav,
being the Up-Mukhiya, was engaged in construction of the brick
solen village road, at that time, four persons, named in the first
information report, including the petitioner, came and stopped
the work and made demand of rupees one lakh for constructing
the brick solen. When, informant made protest and refused to
give the ransom amount, then, Kumud Yadav (petitioner) fired
through pistol, but, luckily the same could not hit him,
thereafter, they started to cause assault through fists and slaps
and also snatched the gold chain, Titan wrist watch and cash of
Rs.1500/-.

Submission is that in fact petitioner and other co-



accused are co-villagers of the informant, Vivek Yadav, Up-Mukhiya. Due to construction of brick solen road below the standard, the petitioner and others made protest, then, due to that reason the informant lodged the present case with false allegation to give undue pressure upon the petitioner and others so that they may not make any complaint before the authority. The petitioner has no criminal antecedent.

Having regard to the facts and circumstances of the case, let the petitioner, above named, in the event of surrender/arrest, within a period of four weeks from today, in connection with Muffasil P.S. Case No. 66 of 2019 (G.R. No. 529 of 2019) shall be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Munger, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

Shamshad/-

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