

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22316 of 2021

Arising Out of PS. Case No.-416 Year-2020 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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HEMANT KUMAR Son of Sri Mahesh Prasad Singh Resident of Village-
Jarang Rampur, P.S.- Belsar O.P. Vaishali, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Adv.
Mr. Shashank Shekhar, Adv.
For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 22-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under sections 386, 387,
120B, 506 and 34 of the Indian Penal Code.

As per the prosecution case, the informant states
that a false case was got registered by one Shikha Priya being
Mahila P.S. Case no.50 of 2018. On realising her mistake, a
compromise was filed in the Court. It is further stated that
Pallavi Ojha was the witness in the said case and in front of
media, she had given the statement that it was under the
compulsion by the administration that Shikha Priya filed the
compromise in the Court. It is further stated that the informant's
enemies namely Hemant Kumar (the petitioner) as also Golu



Thakur, Mithilesh Singh, Govind Rai besides other had conspired and got Kaji Mohammadpur P.S. Case no.274 of 2019 registered which was found false in course of investigation. On the informant coming out of the jail, once again the accused persons had entered into conspiracy and had attacked her.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The petitioner who is an R.T.I. activist has been on inimical terms with the then Director General of Police which led to his being falsely implicated in large number of cases. For the allegations as narrated in the F.I.R., Shikha Priya who lodged the case against the informant has not been made an accused. The petitioner has remained in custody since 6.3.2021 and investigation in the case has concluded.

The application for bail is opposed by learned A.P.P. for the State who submits that petitioner is an accused in a number of cases as stated in paragraph no. 3 of the petition but admits that in this case Shikha Priya has not been made an accused.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the submissions made on behalf of learned counsel for the petitioner



and the period in custody, the Court directs the petitioner to be enlarged on bail in connection with Sadar P.S. Case no.416 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Muzaffarpur.

(Partha Sarthy, J)

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