

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27755 of 2021**

Arising Out of PS. Case No.-94 Year-2019 Thana- CIVIL LINE District- Gaya

Mukesh Kumar, Son of late Mahesh Prasad Singh, Resident of L.I.G. 263,
Chanakayapuri, Police Station - Rampur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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

ORAL ORDER

2 24-08-2021 As prayed for, let the learned counsel appearing for the petitioner remove the defect(s), as pointed out by the office, within four weeks of starting of the Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State through Video Conferencing.

The petitioner apprehends his arrest in connection with Civil Line P.S. Case No. 94 of 2019, registered under Sections 147, 149, 323, 341, 504, 506, 427, 332, 333, 353, 379, 307, 224 and 225 of the Indian Penal Code.

The accusation is that informant being the ASI of Mahila Police Station, Gaya, had gone to Civil Court, Gaya, on 28.02.2019 in connection with Mahila Police Station Case and



in the noon, he was returning from there but at that time, he received information from the mobile of Officer-In-Charge of Mahila Police Station, Gaya to the effect that Ram Ballabh Sharma @ Babban Sharma, who is accused of Mahila P.S. Case No. 16 of 2017, was seen nearby the Civil Court, Gaya. Thereafter, he returned to the Civil Court campus then saw that nearby the Masjid situated inside the Civil Court premises, two persons were seen on scooty, which was being driven by Mukesh Kumar (petitioner), who was wearing black coat and on rear sheet, accused Ram Ballabh Sharma @ Babban Sharma was sitting. At that time, informant asked to Mukesh Kumar (petitioner), to stop the scooty, on which, Mukesh Kumar (petitioner) stopped his scooty and made query then informant disclosed that the person, who was sitting in the rear sheet of his scooty is accused in Mahila P.S. Case No. 16 of 2014, on which, Mukesh Kumar (petitioner) started to abuse, caught hold his collar and cause assault to him through fist and slaps. In the meantime, he snatched cash of Rs.2000/- from his pocket and relevant papers and also snatched his gold chain. At that time, while accused, Ram Ballabh Sharma @ Babban Sharma was caught hold but associates in numbers 15 of Mukesh Kumar (petitioner) gathered there and attacked on informant and



managed to set free to Ram Ballabh Sharma @ Babban Sharma.

Learned counsel for the petitioner submits that petitioner is the practicing Advocate in Civil Court, Gaya and the informant being the ASI of Mahila Police Station reached there and made query about a person saying that he is accused in Mahila P.S. Case No. 16 of 2014 and also misbehaved with the petitioner then petitioner made protest due to that reason, informant lodged the present case with false allegation.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of his weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) six with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya, in connection with Civil Line P.S. Case No. 94 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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