

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32305 of 2020

Arising Out of PS. Case No.-1016 Year-2019 Thana- FORBESGANJ District- Araria

Mukesh Singh @ Mukesh Kumar Singh, son of Jawahar Singh, resident of
village - Ward no. 19 Forbesganj, Police Station- forbesganj, District- Araria
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner :M/s Vikramdeo Singh & Mukesh Kumar Rana, Advs.

For the Opposite Party :Mr. Dr. Mrityunjaya Kumar Gautam, APP

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

ORAL ORDER

2 08-03-2021 As prayed for, let the learned counsel for the
petitioner remove the defect(s), as pointed out by the office vide
it's note, dated 28.11.2020, within four weeks of starting of the
Court proceeding in physical mode properly.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

The petitioner seeks pre-arrest bail in connection with
Forbesganj P.S. Case No. 1016 of 2019, registered under
Sections 341, 323 and 506 of the Indian Penal Code and 27 of
the Arms Act.

The accusation is that at about 02.00 p.m. on
26.10.2019, Anurag Kumar Singh, son of the informant, Binay
Kumar Singh, along with his friend, Vishal Thakur, proceeded
to purchase grocery boarding on motorcycle from the shop of



Ram Lal Daga of Chhuapatti when he reached near the illicit liquor shop of Kanhaiya Yadav, in front of Layens Netralaya, where Mukesh Kumar Singh (petitioner) is doing the job, then, Mukesh Kumar Singh came out from shop in drunken state and fired through illegal rifle, the cartridge passed nearby the temple region of his son, Anurag Kumar Singh. When his son, Anurag Kumar Singh, made query, then, again, Mukesh Kumar Singh (petitioner) made attempt to fire, but, Vishal Thakur, friend of his son, Anurag Kumar Singh, carried his son from there. At that time, Anurag Kumar Singh, the son of the informant, had also prepared the video through mobile and transmitted it to the police, then, police reached there, but, on seeing the police party, Mukesh Kumar Singh (petitioner) entered in the Layens Netralaya and locked the room. Mukesh Kumar Singh (petitioner) also gave threatening to kill the whole family.

Submission is that the petitioner and the informant are neighbours and there is dispute between them since before and on the date of occurrence the informant's side committed misbehaviour with the family of the petitioner, regarding which Panchayati was held in which the informant and his family admitted their guilt, but, the informant, who is Advocate, lodged the present case with false allegation only to put undue pressure



and humiliated the petitioner. 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 Forbesganj P.S. Case No. 1016 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, Araria, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

(Rajendra Kumar Mishra, J)

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