

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.394 of 2021

Arising Out of PS. Case No.-62 Year-2020 Thana- GURARU District- Gaya

MD. MOKHTAR @ MD. MOKHTAR ALAM, aged about 51 years, Male,
S/o Late Abdul Wahab, R/o village- Budhpur, P.S.- Guraru, District- Gaya.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Vinod Kumar, Advocate.
For the Opposite Party : Mrs. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 25-06-2021 Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through Virtual mode.

The petitioner is apprehending his arrest in a case for
the offence registered under Sections 147, 149, 323, 341, 307,
379, 504 and 506 of the I.P.C.

The prosecution story, in brief, is that on 28.05.2020
at about 8.00 A.M. the petitioner being the dealer of the P.D.S.
shop of his village was distributing 4 kg., ration per person
instead of 5 kg., ration and when the informant protested and
asked for the bill then the petitioner started abusing and also
called other persons. On call of the petitioner, all other co-



accused as well as the petitioner person who were armed with weapons started assaulting the informant as well as his family members due to that they sustained head and other body injury. It has been further alleged that co-accused persons forcibly took the money and Ration Card and also threatened to kill them.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. After investigation the police has submitted final form finding the case to be false against the petitioner but the learned court below differed with the same and took cognizance against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on his personal bond to the satisfaction of the learned A.C.J.M. Vth, Gaya, in connection with Guraru P.S. Case No. 62/20, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs. 10,000/-(Rupees Ten Thousand) only with two sureties of the like amount each within a period of eight weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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