

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1191 of 2021

Arising Out of PS. Case No.-31 Year-2020 Thana- DEEPNAGAR District- Nalanda

MUKESH KUMAR, (M), aged about 27 years, Son of Sahdev Prasad,
Resident of Village - Urasa, P.S.- Akauna, Distt.- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Onkar Nath, Advocate.

For the Opposite Party : Mr. A.G.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 26-07-2021 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, 148, 323, 341 and
307 of the I.P.C.

The prosecution story, in brief, is that on 30.01.2020
at about 3.00 P.M. When the informant was going to his village,
all accused persons including the petitioner stopped and
assaulted him with the butt of the pistol on his head, forehead,
nose and eye, as a result of which, he sustained injuries. When
the people came, accused persons fled away. The reason behind



the occurrence is that ten days earlier the informant informed the police about Mukesh Kumar (petitioner) and co-accused Mukesh Prasad that they were molesting the girls.

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. General and omnibus allegation has been made against him. No specific overt act is alleged against him. It is further submitted that the nature of injury is said to be simple.

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 C.J.M., Nalanda at Biharsharif, in connection with Deepnagar P.S. Case No. 31/2020 (G.R.No. 512/2020), 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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