

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4097 of 2021

Arising Out of PS. Case No.-94 Year-2019 Thana- HATHAURI District- Muzaffarpur

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MOHAN SAH @ MOHAN KUMAR Son of Shankar Sah Resident Of
Village - Simri Basant, P. S. - Hathauri, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr. C. Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 07-09-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks after restoration of normalcy.

The petitioner is apprehending his arrest in a case
registered under Sections 147, 148, 149, 341, 323, 332, 333,
336, 353, 379 and 427 of the Indian Penal Code.

The prosecution allegation, in short, is that the
accused persons were protesting and obstructing the road and
raising slogans against the administration on the death of a
person and also pelted stones on police personnel.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Altogether 15 named persons, 25-30 unknown male and 50-60 unknown female have been made accused in the present case. The name of the petitioner has transpired on the basis of disclosure made by local Chowkidar. Except for this, there is no other substantive evidence to suggest his implication in the present case.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, the petitioner, above named, in the event of arrest/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 learned Judicial Magistrate, 1st Class, Muzaffarpur in connection with Hathauri P.S. Case No. 94/2019, G.R. No. 3083/19, 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) 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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