

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42265 of 2022**

Arising Out of PS. Case No.-48 Year-2021 Thana- NADI District- Supaul

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Mukesh Safi @ Mukesh Kumar Safi @ Mukesh Raj @ Mukesh Kumar, S/O
Kamaldeo Safi Resident Of Village - Ward No.-14, Mungraha, P.S.- Supaul
Nadi, District - Supaul.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vivek Kumar

For the Opposite Party/s : Mr. Narendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 147,
149, 341, 323, 354(B), 379, 325, 307, 504 and 506 of the Indian
Penal Code.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and informant
alleges that Manoj Safi assaulted her on head and Rakesh Safi
disrobed her. Thereafter, Sangeeta Devi assaulted Ujala Devi by
kicks and fists and thereafter, Raman Kumar was assaulted by
Rakesh Safi and petitioner by lathi and iron rod.

The learned counsel for the petitioner submits that



petitioner has been falsely implicated in the present case. It is next submitted that he is a student of Para Medical in P.M.C.H., Patna. It is also submitted that allegation of assault is also general and omnibus in nature. It is next submitted that even injury is on non-vital part of the body which amply demonstrates that petitioner never had any intention of committing a serious offence.

The learned Additional Public Prosecutor opposes the anticipatory bail application and submits that though there is pleading in the anticipatory bail application that petitioner is a student of Para Medical in P.M.C.H., Patna, but then there is no documentary evidence in support of the same.

Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Supaul Nadi P. S. Case No.48 of 2021, subject to the conditions laid down under Section 438(2) of the Cr.P.C.



The application stands allowed.

However, the learned trial Court before accepting the bail bonds will verify whether petitioner is a student of Para Medical in P.M.C.H., Patna or not for which the petitioner will have to produce all the relevant documents before the learned trial Court. In the event, if the learned trial Court is not satisfied with the documentary evidence produced by the petitioner in support of his contention being a student, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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