

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8461 of 2023**

Arising Out of PS. Case No.-95 Year-2022 Thana- HATHAURI District- Muzaffarpur

RAM BALAK SAH S/O MAHENDRA SAH R/v- Mauli Chaumukh, P.S.-  
Hathauri, District- Muzaffarpur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Dinesh Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
**ORAL ORDER**

2      16-05-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner, in the present case, is seeking pre-arrest bail in connection with Hathauri P.S. Case No. 95 of 2022 registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 353, 354, 332 & 427 of the Indian Penal Code. He has no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, the informant has alleged that he received information from Anupurna Devi that her husband Mithilesh Singh has been abducted by 13 accused persons including the petitioner and would be killed. Thereafter the informant reached at the place of occurrence and saw that one person was tied by a rope and some miscreants have surrounded him. The informant further alleged that 33 named



accused persons including the petitioner and 30-40 unidentified accused were also present at the place of occurrence.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that in fact Mithilesh Kumar Singh was running a chit fund company in the name and stype of Kamuna Credit cooperative society limited and large number of people had deposited money in the aforesaid company.

Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

Having regard to the facts and circumstances of the case wherein there is no specific allegation against the petitioner and he is said to be among 33 persons who had indulged in misbehaving with lady constables and damaged the police vehicle but no weapon has been attributed to them and the co-accused have been granted privilege of anticipatory bail by the learned coordinate Bench of this Court in Cr. Misc. No. 44062/022, Cr. Misc. No. 40424/2022, Cr. Misc. No. 45638/2022 and Cr. Misc. No. 64337/2022, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/-



(twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate - 1<sup>st</sup> Class, Muzaffarpur, in connection with Hathauri P.S. Case No. 95/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajeev Ranjan Prasad, J)**

Rajeev/-

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