

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17643 of 2023

Arising Out of PS. Case No.-382 Year-2021 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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PANKAJ KUMAR @ PANKAJ KMAR SON OF UMESH PATEL
RESIDENT OF VILLAGE - KARPURI NAGER, WARD NO. - 15, P.S. -
TOWN (SIKANDARPUR O.P.), DISTT. - MUZAFFARPUR.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mrs.Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 25-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Town (Sikandarpur O.P.) P.S. Case No. 382 of 2021, registered for the offences punishable under Sections 147, 148, 149, 341, 342, 323, 324, 307, and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons having intercepted the nephew of the informant while he was returning back to his house on the alleged date and time of occurrence, whereafter they are alleged to have assaulted him. It is further alleged that when the informant had



gone to the house of one Lal Mahto to make complaint about the alleged incident, he was also assaulted by the accused persons.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. The learned counsel for the petitioner has further submitted that earlier the petitioner was having a clean antecedent, however, pertaining to the same incident, he has been made an accused not only in the present case but also in one another case filed by some other person. It is also submitted that a general and omnibus allegation has been levelled against the petitioner and the present case arises out of case and counter case.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials



available on record as also considering the fact that a general and omnibus allegation has been levelled against the petitioner and the present case arises out of case and counter case, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur in connection with Town (Sikandarpur O.P.) P.S. Case No. 382 of 2021 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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