

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19479 of 2023

Arising Out of PS. Case No.-468 Year-2022 Thana- RAXAUL District- East Champaran

MUKESH KUMAR SON OF LATE BADELAL SAH R/O VILLAGE-
MAUJE, WARD NO.13, P.S.- RAXAUL, DISTRICT- EAST CHAMPARAN
... .. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 26-06-2023 Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 323, 307, 379, 354B, 120B, 386, 455, 504, 506 & 427 of the Indian Penal Code.

The petitioner in association of all the F.I.R. named accused and 20 to 25 unknown persons are said to have entered into the house of the informant abused and assaulted her and family members. It is also alleged that they dismantled the house and taken away cloth worth Rs.50 lacs. Other allegations have also been made.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case due to purchase of a



piece of a land in the year 2020 and, thereafter, adjacent of the plot of land side by side. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that admittedly, the dispute is civil in nature for which criminal prosecution has been launched. It is further submitted that similarly situated co-accused Rahul Kumar and another have been granted anticipatory bail by this Court vide order dated 28.04.2023 passed in Cr. Misc. No.12536 of 2023. Petitioner has eight criminal antecedents as mentioned in para-3 of this application and all has been lodged by the informant's side.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Raxaul P.S. Case No. 468 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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