

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19040 of 2023

Arising Out of PS. Case No.-168 Year-2022 Thana- BHAGWANPUR District- Vaishali

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MUKESH KUMAR @ DOMAN RAI SON OF NAGESHWAR RAY
RESIDENT OF VILLAGE - KIRATPUR RAJARAM, P.S. -
BHAGWANPUR, DISTT. - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hemant Kumar

For the Opposite Party/s : Mrs.Madhuri Lata

Mr.Manjeet Kumar Roy

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-06-2023 Heard learned counsel for the parties.

The petitioner apprehends his arrest in a case registered for the offence under Sections 302, 34, 341, 447, 504 of the Indian Penal Code.

As per the prosecution case, on 09.07.2022, while the informant and his family members were at home, all the F.I.R. named accused including this petitioner and ten unknown persons variously armed came at the door of informant, abused and started assaulting them, as a result of which, informant's son Bhavesh Kumar died.

It is submitted on behalf of petitioner that from bare perusal of F.I.R., it is apparent that no specific allegation of assault or any overt act has been attributed to this petitioner. The allegation of assault is general and omnibus. There is case and counter case. Similarly situated co-accused Ram Nath Yadav has



already been granted anticipatory bail by a coordinate Bench of this Court, vide order dated 23.05.2023 passed in Cr.Misc. No. 14849 of 2023. Petitioner has got clean antecedent.

However, learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for anticipatory bail and submitted that petitioner is one of the named accused in the F.I.R. and he alongwith other named accused committed the murder of son of informant.

Considering the aforesaid facts and circumstances, in the event of arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 168 of 2022, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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