

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40149 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- SAKURABAD District- Jehanabad

DURGA KUMAR Son of Late Rambabu Prasad Resident of Village and Post
office and police Station- sakurabad, District - Jehanabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Indradeo Prasad, Advocate
For the Opposite Party : Mr. Parmeshwar Mehta, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 15-02-2023 Heard learned counsel for the petitioner and learned
counsel for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner is apprehending his arrest in
Shakurabad P.S. Case No. 42 of 2021 registered under Section-
188/409 of the Indian Penal Code.

Earlier prayer for anticipatory bail of the petitioner
was dismissed for want of prosecution.

It is submitted on behalf of the petitioner that the
petitioner has got no criminal antecedent. There is no allegation
of tampering of witnesses is alleged against the petitioner. The
petitioner has been made accused due to mistake of fact. Due to



wrong entry in M.B. book, the present case has been instituted. Under the rule, the petitioner is only an executive agent. The other co-accused with similar allegation has already been granted anticipatory bail by a coordinate bench of this court vide order dated 21-12-2022 passed in Cr. Misc. No. 29582 of 2022.

Learned counsel for the State submits that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances, let the petitioner named above, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Jehanabad in connection with Shakurabad P.S. Case No. 42 of 2021 subject to the conditions as laid down under Section-438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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