

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40769 of 2023

Arising Out of PS. Case No.-45 Year-2023 Thana- MOTIHARI TOWN District- East
Champaran

=====

Mayank Kashyap @ Mayank Kumar Son Of Shailesh Kumar Resident Of
Village- Chand Parassa, Post- Bhagawatiya, Ps- Kesariya, Distt- East
Champaran At Present Resident Of Village- Naya Tola , Bada Bariyapur,
Police Station- Chhatauni, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Motihari Town P.S. Case No. 45 of 2023 registered for the
offences punishable under Sections 341, 342, 323, 307, 379,
504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and the informant
alleges that petitioner along with four-five unknown accused
kidnapped his brother by forcefully making him sit in a car,
accordingly the police was informed and on pressure of police,
they left him in an injured condition and fled after snatching his



locket and cash.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, it is next submitted that brother of the informant works in a shop which carries business of tent and sound service and the petitioner along with his friends had gone to the shop and on dispute relating to some payment, an altercation took place on account of which both sides assaulted each other. It is further submitted that the informant realizing that it was not a case of kidnapping, filed a compromise petition on intervention of well-wishers, as would be evident from Annexure-2 to the anticipatory bail application. Learned counsel further submits that when the informant and victim are not ready to contest the case, would it be prudent to send the petitioner to jail when admittedly he is a person with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-



(Rupees Ten 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 Motihari Town P.S. Case No. 45 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Rishi/-

U		T	
---	--	---	--

