

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43757 of 2023**

Arising Out of PS. Case No.-211 Year-2021 Thana- KALYANPUR District- Samastipur

Sushil Kumar Son Of Bindeshwar Mahto Resident Of Villageand Post-Basudeopur, Ps -Kalyanpur, District- Samastipur

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Shailendra Kumar Singh, Advocate
For the Opposite Party	:	Mr. Madhura Nand Jha, Advocate

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with Kalyanpur P.S. Case No. 211 of 2021 dated 03.08.2021, instituted for the offence punishable under Sections 341,353,419,420 and 506 of the Indian Penal Code.

3. The case of prosecution, in short, is that on 21.07.2021, when the informant went for inquiry of application of registration of one Nandu Sahni, allegation against the petitioner is of creating obstruction in discharging of public duty in course of inquiry.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and he has falsely been implicated in this case. It is submitted that the petitioner is the worker of Central Indian Trade Union and has filed an application on 03.09.2020 regarding registration of 72 labourers before Labour Superintendent, Samastipur. It is further submitted that said case has been planted by the Labour Inspector, Kalyanpur at the instance of Braj Mohan Sharma and Shashiranjana Kumar, who are the agents of Labour Officer collecting illegal money from the labourer, which was objected by the petitioner, due to which the petitioner has been made accused in this case. Further, it is submitted that there is no eye-witness against the petitioner, who support the allegation against the petitioner. Lastly, it has been submitted that he has one criminal case against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Kalyanpur P.S. Case No. 211 of 2021, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand)



with two sureties of the like amount each to the satisfaction of
the learned J.M. 1st Class, Samastipur, subject to condition as
laid down under Section 438(2) of the Cr.P.C.

(Khatim Reza, J)

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