

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50035 of 2023

Arising Out of PS. Case No.-270 Year-2015 Thana- FATUA District- Patna

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1. Mukesh Kumar, aged about 30 years, Male Son of Upendra Prasad.
 2. Upendra Prasad Singh, aged about 60 years, Male Son of Garbhu Singh.
- Both resident of Village- Kolher, P.S.- Fatua, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kumar Choudhary, Advocate

For the Opposite Party/s : Mr.J harkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Fatuha P.S. Case No. 270 of 2015 dated 19.06.2015 instituted under Sections 341, 342, 323, 504, 553/34 of the Indian Penal Code.

3. As per the prosecution case, petitioner no. 2 has taken loan for purchasing a Bolero Vehicle from the State Bank of India and on demanding to pay installments, he alongwith co-accused persons abused and assaulted the informant (who is the Bank Manager) with fist and also threatened him and thus caused obstruction in performing the official duty.



4. Learned counsel for the petitioners submits that after investigation the police submitted charge-sheet under bailable sections. However, the concerned Court has also alongwith bailable Sections has taken cognizance under Section 353 of the Indian Penal Code.

5. Learned counsel for the petitioners further submits that petitioners are innocent having committed no offence and have falsely been implicated in this case. He further submits that due to illegal demand from the informant some altercation took place between both of them and the informant has falsely lodged this false case against the petitioners. The petitioners have no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of their arrest or surrender before the Court below within six weeks from today, the above named petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate- 1st, Class Patna City in connection with Fatuha P.S. Case No. 270 of 2015,



subject to the conditions laid down in Section 438 (2) of the
Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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