

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63326 of 2022

Arising Out of PS. Case No.-133 Year-2022 Thana- BYPASS District- Patna

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MUKESH KUMAR @ MUKESH YADAV S/O LAL DEO YADAV Resident
of Village- Ranipur, Pajaba, Police Station- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.
For the Opposite Party/s : Mr.Rabindra Kumar, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2023 Heard the parties.

A supplementary affidavit has been filed on behalf of the petitioner is on record in which it is stated that due to typographical error in first page of the petition as also in vakalatnama, the father name of the petitioner has wrongly been typed as Lal Deo Yadav in place of Devki Ray.

Let the same be corrected and the father's name of the petitioner be read as Devki Ray in place of Lal Deo Yadav.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 290, 341, 323, 307, 188, 331, 332, 333, 337, 338, 353, 435, 427, 120(B) of the Indian Penal Code and u/s 3/4 of Public Properties Damage Act.

Allegedly, petitioner along with other co-accused persons



assembled near Mahindra Show Room where two persons were injured due to road accident. All the persons started damaging the police vehicle and set the same on fire. They attacked on police party in protest and due to this act of accused persons, a few police personnel have sustained injuries.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. From the perusal of FIR, it is apparent that there is no specific allegation of assault against petitioner. Similarly situated co-accused have been enlarged on bail by the Hon'ble High Court. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is general and omnibus allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five 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 Bypass P.S. Case No. 133 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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