

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58022 of 2023

Arising Out of PS. Case No.-412 Year-2023 Thana- MOHANIYA District- Kaimur (Bhabua)

RAMESH CHAUDHARY @ RAMESH KUMAR CHAUDHARY S/O
SRINIWAS CHAUDHARY R/O VILLAGE- MALLAH TOLI WARD NO. 5,
MOHANIA DIST. KAIMUR AT BHABHUA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arabind Nath Pandey

For the Opposite Party/s : Mr.Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

- 2 13-10-2023 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The petitioner is apprehending his arrest in connection with Mohania P.S. Case No.412 of 2023 registered for the offences punishable under Sections 341,420,384,386 and 34 of the Indian Penal Code.
3. As per prosecution case, three persons namely Manoj Chaudhary, Raju Kumar and Dharambir Mali were apprehended as they were alleged to have collected municipal tax from the vehicles. It is further alleged that co-accused Dharamvir Mali disclosed the name of present petitioner who is also involved in the said occurrence.
4. Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case. Petitioner bears no criminal antecedent. He further submits that petitioner was not present on the place of occurrence and no incriminating article has been recovered from the possession of petitioner. Learned counsel further submits that from the statement of tax collector, Jai Prakash Pandey, the burden of said collection is given to Sandip, Raju Manoj and Dharambir who collected the tax illegally from the outsider vehicle and not to the present petitioner. He further submits that except disclosure of co-accused Dharambir Mali, there is nothing on record to connect the present petitioner with the alleged occurrence. In the light of aforesaid facts and circumstances of the case, no case is made out against the petitioner as the entire prosecution story is full of concoction and fabrication.

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

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, the petitioner above-named, in the event of his arrest or surrender before the



learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Mohania, Kaimur at Bhabhua in connection with Mohania P.S. Case No. 412 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Alok Kumar Pandey, J)

vashudha/-

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

