

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61017 of 2022

Arising Out of PS. Case No.-462 Year-2021 Thana- GAYA MUFASIL District- Gaya

1. MUKESH KUMAR @ KUMAR MUKESH S/O Ravindra Kumar Yadav
R/O Village- Gurpa, P.S- Fatehpur, District- Gaya
2. Hemant Rai @ Hem Narayan yadav S/O Late Lkhan Yadav R/O Village-
Alakhdiha, P.S- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Adv.

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-01-2023 Heard learned counsel for the petitioners and learned A.P.P.
for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 341, 323, 504, 506, 379/34 of the Indian Penal Code.

Allegedly, the informant's all machinery kept in the house of the petitioners for purpose of boring but the very next day when he reached for doing boring in the house of petitioners then he surprised that all his machinery was missing and when he asked the petitioners about it then they told him that entire machinery for boring has been stolen and they also abused and assaulted the informant.

It is submitted by learned counsel for the petitioners that petitioners are quite innocent and have committed no offence. They have been falsely implicated in this case. No such occurrence as



alleged ever took place. Petitioners have no concern with the aforesaid alleged occurrence. No incriminating articles has been recovered from the possession or house of the petitioners. It is further submitted that occurrence took place on 22.08.2021 and FIR lodged on 09.09.2021, after laps of 17 days and no any satisfactory explanation has been given regarding the delay for lodging the FIR. The allegations levelled against the petitioners are totally false and baseless. Petitioners have no 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 delay in filing of FIR, let the above named petitioners, be released on bail, in the event of their 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) each 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 Muffasil P.S. Case No. 462 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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