

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68320 of 2022

Arising Out of PS. Case No.-181 Year-2012 Thana- JHAJHA District- Jamui

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MUKESH KUNDA @ MUKESH KORA @ MUKESH KUMAR KORA S/o
Tulasi Kunda @ Tulasi Kora R/o Village- Belatarh, P.S.- Sono, Distt- Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prakash Kumar

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 10-04-2023 Heard learned counsel for the petitioner as well as learned
APP for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable under Sections 420, 365, 120(B) of
the Indian Penal Code.

As per the prosecution case, the petitioner went to the
house of the informant and stated that he is a contractor. He
needs 50 labours for house construction and he will pay Rs.180
per day as labour wage and including overtime total Rs.500 per
day. The informant agreed with the view of the petitioner and
thereafter the informant alongwith others went to Kurla station
near Kamari area. It is alleged that when the informant went to
the village of the petitioner and demanded the wages of labour
then the petitioner and his friends kidnapped the informant.



It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. There is no specific overt act against the petitioner. Chargesheet has been submitted under section 420, 365 and 120(B) of IPC and cognizance has been taken on 30.02.2020. He further submits that the petitioner is not a contractor rather he is a driver and the driving license of the petitioner is also enclosed as Annexure-2 of the bail application. He further submits that there is no allegation against the petitioner to tamper the witnessess. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for anticipatory bail.

Having regard to the facts and circumstances of the case as there is no specific overt act against the petitioner, let the above named petitioner, be released on bail, in the event of his/her 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 Jhajha P.S. Case No.181 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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