

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1905 of 2023

Arising Out of PS. Case No.-485 Year-2020 Thana- MUZAFFARPUR SADAR District- Muzaffarpur

MONU KUMAR @ AMIT KUMAR S/o Bijendra Chaudhary @ Barjendra Chaudhary R/o Village- Kharauna Jairam, P.S. Kudhani (Turki Outpost), Distt- Muzaffarpur. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Singh,Adv.
For the Opposite Party/s : Mr.Nagendra Prasad,APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 17-05-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Muzaffarpur Sadar P.S. Case No.485 of 2020, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379 and 504 of the Indian Penal Code.

The allegation is regarding the accused persons including the petitioner herein, having stolen the cycle and a sum of Rs.50,000/- of the informant on 01.09.2020, whereafter the father of the informant had gone to the house of the accused persons, but the accused persons were not present there, however after some time, all the



accused persons including the petitioner herein, had arrived at the house of the informant, variously armed and had assaulted the father of the informant. Specific allegation is on the co-accused person for assaulting the father of the informant by *farsa* and iron rod. As far as the petitioner is concerned, there is no allegation of him having engaged in any sort of specific overt act.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner further submits that as far as the petitioner is concerned, neither he has been alleged to have assaulted the father of the informant nor any stolen articles have been recovered from his house.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

Having regard to the facts and



circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the materials available on record as also considering the fact that the petitioner is not alleged to have assaulted the father of the informant, I deem it fit and proper to admit the petitioner herein to the privilege of anticipatory bail.

Accordingly, the petitioner, above named, is directed to be released on anticipatory bail in the event of his arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Muzaffarpur Sadar P.S. Case No.485 of 2020, subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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