

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4445 of 2024

Arising Out of PS. Case No.-264 Year-2023 Thana- FATEHPUR District- Gaya

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Mukesh Kumar SON OF AMBIKA SAO @ AMBIKA PRASAD RESIDENT
OF VILLAGE- DUMARI CHATTI, PS- FATEHPUR, DISTT- GAYA AT
PRESENTLY RESIDING AT GURUDWARA ROAD, PS- KOTWALI,
DISTT- GAYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Onkar Nath, Adv.
For the Opposite Party/s	:	Mr.Suresh Prasad Singh, APP
For the Informant	:	Mr.Abhijeet Abhigyan, Adv.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 18-04-2024 Heard learned counsel for the petitioner, learned counsel
for the informant and learned APP for the State.

2. The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 341, 323, 386, 387 & 34 of IPC.

3. As per the prosecution case, the allegation against the
F.I.R. named accused persons is that after assaulting the family
members of the informant, the accused persons forcibly taken
away the father of the informant.

4. It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The



allegation leveled against the petitioner is not specific rather general and omnibus in nature. The parties are agnates and there is an admitted land dispute between them. There is a case and counter-case between the parties. Petitioner has one criminal antecedent.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, since there is land dispute between the parties, 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 Fatehpur P.S. Case No.264 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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