

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12926 of 2024

Arising Out of PS. Case No.-458 Year-2023 Thana- NOORSARAI District- Nalanda

Mukesh Kumar @ Mukesh Yadav S/o Ravindra yadav R/V Daruara, P.S.
Noorsarai, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujata Sinha

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 307, 353,
386 and 387 of the Indian Penal Code and Section 27 of Arms
Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and from perusal of the
allegation as alleged in the FIR, it would manifest that the trust
of the allegation is against Bharat Chauhan. It is further
submitted that the informant alleges that he received
information that Bharat Chauhan and his goons had assembled
at a place for collecting extortion and accordingly, when the
police force reached, they fled. It is next submitted that the



petitioner came to be implicated at the instance of the Chowkidar. It is also submitted that the petitioner was not arrested from the spot and is a farmer and he has been falsely implicated in the instant case by the Chowkidar. It is next submitted that the petitioner will not abscond rather will cooperate in the investigation.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, 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 bonds of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Noorsarai P.S. Case No. 458 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. One of the bailors of the petitioner shall be his father, Ravindra Yadav.

7. It is made clear that if the Investigating Officer of the case files an application before the learned trial court



bringing to its notice that petitioner, despite giving assurances to this court, is not cooperating in the investigation, in that event the learned trial court shall forthwith cancel the bail bonds of the petitioner after recording reasons and take all coercive steps to ensure that petitioner is behind bars.

8. It is further made clear that in the event if charge-sheet is submitted connecting the petitioner with the offence, in that event the present anticipatory bail order shall lose its effect.

(Satyavrat Verma, J)

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