

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18662 of 2024

Arising Out of PS. Case No.-12 Year-2014 Thana- BEGUSARAI GRP CASE District-
Begusarai

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Nagina Mukhiya Son Of Ameer Mukhiya @ Amir Mukhiya Resident Of
Village- Pathkhauliya, Ps- Gopalpur, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alka Singh, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Barauni Rail P.S. Case No. 12/2014 dated 25.02.2014 registered for the offence punishable u/ss 328 and 379 of the Indian Penal Code.

3. As per the prosecution case, the informant alleged that while he was travelling in Mithila Express, his co-passenger offered him a cup of tea and thereafter, he became unconscious and he found himself in hospital and all his belongings were stolen

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. Nothing has been recovered from the conscious possession of the petitioner. The name of the petitioner has sprung up in the confessional statement of the co-accused Kamlesh Mukhiya. Learned counsel has submitted that Section 82 of the Cr.P.C has not been issued against the petitioner.

5. Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner by submitting that earlier the anticipatory bail of the petitioner was rejected by the Co-ordinate Bench of this Court vide order dated 07.05.2015 passed in Cr. Misc. No. 13707 of 2015.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Barauni, Begusarai in connection with Barauni Rail P.S. Case No.



12/2014, subject to conditions as laid down under section
438(2) of the Code of Criminal Procedure.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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