

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28760 of 2024**

Arising Out of PS. Case No.-675 Year-2023 Thana- MADHEPURA District- Madhepura

1. Manish Kumar @ Manish Mukhiya son of Chandra Narayan Mukhiya @ Manoj Mukhiya Mohalla- Belha Ghat Tulsiwari W.No-1, Ps- madhepura Dist- Madhepura
2. Janish Kumar @ Janish Mukhiya son of Chandra Narayan Mukhiya @ Manoj Mukhiya Mohalla- Belha Ghat Tulsiwari W.No-1, Ps- madhepura Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Uday Chand Prasad, Advocate  
For the Opposite Party/s : Mr. Md. Mushtaque Alam, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      15-05-2024                      Heard Mr. Uday Chand Prasad, learned counsel for the petitioners and learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Madhepura P.S. Case No. 675 of 2023 for the offence under Sections 147, 148, 149, 341, 323, 384, 385, 379, 504 and 506 of the I.P.C. and Section 27 of the Arms Act lodged on 02.07.2023 by the informant, Alauddin.

3. As per the prosecution story, the informant alleged that when he reached on his land, found the accused persons standing there armed variously. Later, they abused and after putting a pistol on his ear asked him to pay Rs. 5 Lakh as ransom or will be killed. Further, he was assaulted and amount



snatched. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that the occurrence is alleged to be on 20.06.2023 whereas the FIR has been lodged on 02.07.2023 which clearly show that they decided to implicate the accused persons including the petitioners and the last submission is that they do not have criminal antecedent.

5. Learned APP opposes the prayer stating that allegation is of assault as also demanding extortion.

6. Considering the delay in the FIR, the petitioner do not have any criminal antecedent, FIR lodged and will be facing the trial, this Court is inclined to grant them privilege of anticipatory bail with conditions.

7. Let the petitioners be released on bail in the event of their arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Madhepura P.S. Case No. 675 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of



the petitioners who shall provide official document to show their bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Rajiv Roy, J)**

Adnan/-

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