

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39379 of 2024

Arising Out of PS. Case No.-42 Year-2024 Thana- MADHUBAN District- East Champaran

Kamlesh Mali, S/O Late Hira Mali, R/V- Bajitpur , P.S.- Madhuban . District
-EAST Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adarsh Ranjan

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 147, 148, 149, 341, 342, 323, 337, 325, 307, 332, 333,
353, 427, 504 and 506 of the Indian Penal Code and Sections 3
and 4 of the Prevention of Damage to Public Property Act,
1984.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that an accident occurred as a four wheeler
vehicle dashed and entered a hut. Thereafter, a crowd gathered
with an intent to assault the driver and the inmates of the car,
when informant tried to reason out with the mob, the mob was



not willing to listen and even assaulted the police personnel causing injury and damaged the police vehicle and the miscreants were identified by the Chaukidar.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is also submitted that allegation of assault is general and omnibus in nature. It is next submitted that it does not appear probable that Chaukidar would have identified so many persons against whom, it is alleged that they gathered when the accident took place. It is also submitted that petitioner is a close by resident of the place where the occurrence is alleged to have taken place and as a spectator, he also went to the place of occurrence and came to be implicated at the instance of Chaukidar.

5. Learned A.P.P. opposes the anticipatory bail application.

6. 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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned J.M., 1st Class, East Champaran at



Motihari in connection with Madhuban P. S. Case No.42 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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