

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39112 of 2024

Arising Out of PS. Case No.-333 Year-2020 Thana- FATUA District- Patna

Mukesh Kumar, Son of Raj Kumar Ray, Resident Of Village- Dariyapur, P.S.-
Fatuha, District Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyam Kumar Chaudhary, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending his arrest in connection with Fatuha P.S. Case No. 333 of 2020 registered on 10.05.2020 for the alleged offences under Sections 341, 323, 324, 307 and 504/34 of the Indian Penal Code.

3. As per prosecution case, petitioner is the brother of the informant and allegation against the petitioner is that he along with his mother attacked the informant with a knife and caused injuries to him.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. True fact of the case is that the informant is a drunkard and under influence of liquor he used to



assault his wife and mother. So wife of the petitioner started staying with her parents-in-law and this petitioner is the younger brother of the informant. The allegation of assault by knife is completely false and injury report shows abrasion and lacerated wound caused by hard and blunt object and injuries are stated to be simple and such injuries could easily occur due to falling in minor scuffle. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the relationship of the parties and further considering the absence of any sharp cut injury as alleged against the petitioner and also considering the clean antecedent of the petitioner coupled with strong possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-IV, Patna City, Patna/ court concerned in connection with Fatuha P.S. Case No. 333 of 2020, subject to the condition laid



down under section 438(2) of the Code of Criminal Procedure
and other following conditions:

- (i) One of the bailors will be a close relative
of the petitioner.
- (ii) The petitioner will remain present on
each and every date fixed by the court below,
if so required by the learned trial court.

(Arun Kumar Jha, J)

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