

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42201 of 2024

Arising Out of PS. Case No.-453 Year-2021 Thana- FALKA District- Katihar

MITHUN KUMAR MANDAL @ MITHUN KUMAR SON OF PANKAJ
KUMAR MANDAL RESIDENT OF VILLAGE - BHANGAHA, P.S. -
FALKA (POTHIA), DISTRICT - KATIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhola Prasad

For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2024 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 offence punishable under Sections 307, 323,
341, 354, 379, 427, 504, 506 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant. It is next
submitted that the police after threadbare investigation came to
a considered conclusion that petitioner is innocent and thus
submitted final form exonerating the petitioner of the allegation
but then the learned trial court in a mechanical manner took
cognizance as such the petitioner apprehends his arrest. The



learned counsel next submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent whether it would be prudent for the court to send the petitioner to jail based on order of cognizance, which came to be taken based on the same investigation which found the petitioner to be innocent.

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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Falka P.S. Case No.453/2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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