

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55157 of 2024

Arising Out of PS. Case No.-46 Year-2024 Thana- UJIYARPUR District- Samastipur

Mithun Kumar Son of Late Thakur Singh Resident of Village - Belari, Ward
No.- 14, P.S. - Ujiarpur, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-09-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Ujiarpur P.S. Case No. 46 of 2024 for the offence under sections 147, 148, 149, 341, 342, 333, 332, 228, 353, 504 and 506 of the I.P.C. lodged on 01.03.2024 by the informant, Akash Kumar.

3. As per the prosecution story, the informant, Circle Officer, Ujiarpur Block alleged that while he along with the police force has gone to remove encroachment, this petitioner along with three named and a number of unknown persons tried to obstruct their work and further abused, threatened of dire consequences. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that his residence is two kilometres away from the alleged place of



occurrence, has no role to play and only due to local enmity, implicated. Further, the petitioner has no criminal antecedent and the last submission is that without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submit that he is ready to pay Rs. 2000/- (Rs. to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer.

6. Taking into account the allegation that has come and further the petitioner has got no criminal antecedent, an FIR has been lodged and he will be facing the trial, this Court is inclined to extend him the privilege of anticipatory bail subject to the condition that the petitioner is to pay Rs. 2000/- (Rs. to the Chief Minister's Relief Fund.

7. Let the petitioner, named above, be released on bail in the event of 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) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Dalsingsarai, Samastipur in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as subject to the following conditions:-



(i) one of the bailors should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance;

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

(Rajiv Roy, J)

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