

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60880 of 2024

Arising Out of PS. Case No.-362 Year-2023 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Md. Mustafa @ Md. Mustufa @ Pindu @ Pintu Son of Md. Islam R/O Vill.-
Khetas Kalna, P.S.- Kusheshwar Asthan, Dist.- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Thakur Brajesh Singh, Adv.

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-09-2024 Heard Mr. Tooba Hera, learned counsel for the

petitioner, learned APP for the State and learned counsel for the

informant.

2. The petitioner seeks bail in anticipation of his arrest

in a case registered for the offences punishable under Sections

147, 148, 149, 341, 323, 324, 308, 504 and 506 of the Indian

Penal Code.

3. The learned counsel for the petitioner submits that

petitioner, during the course of investigation, was given the

benefit of Section 41(a) of Cr.P.C. It is next submitted that

petitioner cooperated in the investigation and police based on

the investigation submitted charge-sheet and thereafter

cognizance came to be taken and thus petitioner apprehend his

arrest. It is further submitted that police during the course of



investigation never felt the need of arresting petitioner as the petitioner cooperated in the investigation, it is next submitted that when police never felt the need of arresting the accused person whether it would be prudent for this Court to send the petitioner to jail based an order of cognizance when police during the course of investigation never arrested the petitioner.

4. Learned A.P.P. as well as learned counsel for the informant both opposes the bail application.

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 withing 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 Judicial Magistrate, First Class, Darbhanga, in connection with Kusheshwar Asthan P.S. Case No. 362 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The applications stands allowed.

sanjeev/-

(Satyavrat Verma, J)

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