

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71173 of 2024

Arising Out of PS. Case No.-1078 Year-2023 Thana- AGAMKUAN District- Patna

Mukesh Kumar S/o Sri Uma Shankar Ray R/o Bhoothnath Road Baudh Vihar Colony, Kumhrar, B.H.Colony Patna, At present residing at Mohalla-Bhagwat Nagar C/o Hira Singh Dabargali, Behind Litera Valley School, P.S.-Agamkuan, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv.
	:	Mrs. Vaishnavi Singh, Adv.
	:	Mr. Ritwik Thakur, Adv.
For the Opposite Party/s :	:	Mr. Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 23-10-2024 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 offences punishable under Sections 341, 323, 307, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, on 06.11.2023 at about 10:30 AM when informant went to the plot along with labourers, in the meantime all the FIR named accused persons including this petitioner gave pressure to stop the work and when the work was not stopped then all the accused persons armed with sharp weapons, bamboo and *katta* assaulted the informant due to which he received injury on his head.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that there is no specific overt act against the petitioner. Similarly situated co-accused has been enlarged on bail by a co-ordinate bench of this court vide order dated 19.08.2024 passed in Cr. Misc. No. 44295 of 2024. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State opposes prayer for anticipatory bail.

6. Considering the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Agamkuan P.S. Case No. 1078 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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