

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74839 of 2023

Arising Out of PS. Case No.-79 Year-2022 Thana- GANGABRIDGE District- Vaishali

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MUKESH KUMAR S/O UMA RAI VILLAGE- SAIDPUR NAGESH, PS.
BIDUPUR, DIST. VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Advocate

For the Opposite Party/s : Mr.Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 05-03-2024 Heard Mrs. Rina Sinha, learned counsel for the

petitioner and the State.

2. The petitioner is apprehending arrest in connection with Gangabridge P.S. Case No. 79 of 2022 instituted under Sections 147, 148, 341, 323, 307, 379, 427, 504, 385 of the Indian Penal Code, 27 of Arms Act and 3/4 of Explosive Substance Act lodged on 7.4.2022 by the informant, Ajit Kumar.

3. As per the prosecution story, the informant alleged that the accused persons came to his place, armed variously and after smashing the place, threw bomb and took away certain amount. Accordingly, the FIR.

4. Learned counsel for the petitioner submits it is a counter-blast to Gangabridge P.S. Case No. 78 of 2022 lodged by Manilal Singh. Further, the story has been exaggerated to



implicate each and every member.

5. Last submission is that the petitioner do not have criminal antecedent and irrespective of the outcome of the present case and/or accepting the allegation, the petitioner intends to contribute Rs. 10,000/- to the Chief Minister's Relief Fund.

6. Learned APP opposes the prayer.

7. Taking into account the fact that that omnibus allegation is against this petitioner, he do not have criminal antecedent, will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail subject to payment of Rs. 10,000/- to the Chief Minister's Relief Fund.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Gangabridge P.S. Case No. 79 of 2022 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member 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 co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) 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;

(vi) 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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