

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82814 of 2023

Arising Out of PS. Case No.-560 Year-2023 Thana- MAJHAULIA District- West Champaran

Mukesh Kumar SON OF BHOLA PRASAD R/O VILLAGE- AHWAHAR
SHAIKH, CHUDIHARWA TOLA, P.S.- MAJHAULIYA, DIST.- WEST
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Manoj Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 05-03-2024 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Majhauriya P.S. Case No. 560 of 2023, registered for the offences
punishable under Sections 147, 148, 149, 323, 332, 353, 307, 504
and 506 of the Indian Penal Code.

3. As per allegation, during investigation of Majhauriya P.S.
Case No. 559 of 2023 which was regarding theft of a motorcycle, the
informant along with police personnel reached to the house of the
petitioner, the accused persons started abusing and threatening the
members of the police party. The accused persons fled away from
backdoor of the house. The motorcycle of Deepak Kumar, (subject
matter of Majhauriya P.S. Case No. 559 of 2023), was recovered from
the house of the petitioner.

4. The learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated. There is no criminal antecedent against him except Majhulia P.S. Case No. 559 of 2023. As a matter of fact, Deepak Kumar, the informant of Majhulia P.S. Case No. 559 of 2023 had taken a loan of Rs. 30,000/- from the petitioner and when he demanded the said amount from Deepak Kumar, he falsely implicated the petitioner. He has submitted further that there is no injury, at all, to anybody. He has also submitted that in Majhulia P.S. Case No. 559 of 2023, the petitioner has been granted anticipatory bail in Cr. Misc. No. 77623 of 2023.

4. The FIR itself shows that though there is allegation that the accused persons made chaos and also pelted stones on the police party but none has suffered any kind of injury.

5. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Bettiah West Champaran in connection with Majhauliya P.S. Case No. 560 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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