

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.959 of 2024

Arising Out of PS. Case No.-370 Year-2023 Thana- JAYNAGAR District- Madhubani

Gopal Kumar Mahto @ Gopal Kumar, Male, aged about 25 years, S/o Dilip Kumar Mahto Resident of Village – Betaunaha, Jay Nagar Bhelwa Tole, P.S.- Jaynagar, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagandeo Yadav, Advocate

Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, App

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH

ORAL ORDER

2 24-01-2024 Heard Mr. Gagandeo Yadav and Mr. Ravi Prakash,

learned counsels appearing on behalf of the petitioner and Mr.

Raj Ballabh Singh, learned APP for the State.

2. The petitioner seeks pre-arrest bail in connection with Jaynagar P.S. Case No. 370 of 2023 dated 03.09.2023 registered for the offence(s) punishable under Sections 341, 323, 353, 354 of the Indian Penal Code.

3. As per the allegation made in the FIR, the petitioner has misbehaved with the informant, who is a police constable, while she was on duty.

4. Learned counsel appearing on behalf of the petitioner submitted that no such incidence has taken place, as alleged in the FIR, as petitioner was merely a passer-by. The specific allegation is against the driver, who had fled away after



parking the bolero vehicle. Petitioner has clean antecedent.

5. Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail.

6. Considering the nature of allegation, I am of the opinion that petitioner has, *prima facie*, made out a case to be released on pre-arrest bail.

7. The petitioner, above named, is directed to be released on pre-arrest bail, in the event of his arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Madhubani in connection with Jaynagar P.S. Case No. 370 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

8. The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases, as what has been stated in paragraph no.3 of the bail application, this order will automatically lose its force.

(Purnendu Singh, J)

Sanjay/-

U		T	
---	--	---	--

