

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19421 of 2025

Arising Out of PS. Case No.-2 Year-2024 Thana- BADDI District- Rohtas

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Mukesh Sah Son Of Lalji Sah Village -Sukuhi P.O -Khudiya P.S -Shivsagar,
Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ojaswee Kumari, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present Cr. Misc. Application has been filed under Section 482 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as "BNSS, 2023") for grant of anticipatory bail to the petitioner who is apprehending arrest in connection with Baddi P.S. Case No. 02 of 2024, dated 23.08.2024, lodged under Sections 191(2), 191(3), 190, 293, 121(1), 61(2), 125(a), 132, 109, 329(3) and 352 of the Bharatiya Nyaya Sanhita, 2023.

3. As per the prosecution, FIR has been lodged against 109 named accused persons, out of which 96 are individual persons, while the remaining accused have been identified by vehicle registration numbers. Additionally, 250–300 unknown persons have also been made accused in this case.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that the petitioner has a clean criminal antecedent and is currently residing in Haridwar, where he is engaged in business. Counsel also submits that the petitioner is a permanent resident of haridwar. It is further submitted that the petitioner is not named in the FIR and has been made an accused solely on account of the recovery of his motorcycle. The petitioner had purchased the motorcycle in his own name but had kept it at his native place, where it was being used by his nephew. It is only for this reason that the petitioner's name has come up in the present case. Counsel further submits that a murder had taken place in the locality, and the police were not taking any action. In protest, the local residents, including the petitioner, gathered at the Police Station to request the Investigating Officer to conduct a proper investigation in the murder case. However, instead of helping the victim's family, the I.O. registered a criminal case against the entire family of the victim as well as 250–300 other persons, including the petitioner.

5. Learned APP for the State opposes the prayer for bail of the petitioner but fairly submits that in the FIR, there is



absolutely no allegation against the petitioner.

6. As such, in the present facts and circumstances of this case, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the Trial Court within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of C.J.M., Rohtas at Sasaram, in connection with Baddi P.S. Case No. 02 of 2024, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J.)

Aman Kumar/-

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