

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39673 of 2025

Arising Out of PS. Case No.-864 Year-2024 Thana- BIHTA District- Patna

Mukesh Kumar S/O Parma Rai R/O Village-Anandpur, PS-Bihtta, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Bihta P.S. Case No. 864 of 2024 for the offence under Sections 127(1), 115(2), 117(2), 109, 352, 121(2), 132, 191(2) and 190 of the BNS 2023.

3. As per the prosecution story, on 14.09.2024, the informant, who is a police personnel got secret information that one motorcycle carrying liquor is going to Anandpur. When the police reached at the place of occurrence, they saw that two persons carrying a bag on the motorcycle trying to flee after seeing the police team. Both the persons were apprehended and when the police started searching for two independent witnesses for the search of the alleged bag, in the



meantime, some miscreants (20-25 in number) who are in connivance with the motorcycle riders, assaulted on the police team due to which they sustained injuries. It is also alleged that the said miscreants have tried to snatch the service pistol of the police officers.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent, committed no offence as alleged by the informant against the petitioner in the present case and name of the petitioner has been given by the police only with a view to save the skin of real culprit. The petitioner is a an employee and on the alleged date of occurrence, he was on duty so, there is no chance of his participation in the present case. Learned counsel further submits that one of the co-accused namely Vakil Kumar has been granted bail by the co-ordinate Bench of this Court vide order dated 30.04.2025 in Cr. Misc. No. 23424 of 2025 and four other co-accused persons namely, Madan Kumar, Golu Kumar, Sunil Kumar and Bhishm Kumar have also been granted bail by the Co-ordinate Bench of this Court vide order dated 30.04.2025 in Cr. Misc. No. 24063 of 2025.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Danapur, in connection with Bihta P.S. Case No. 864 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date till framing of charge and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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