

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90240 of 2024

Arising Out of PS. Case No.-412 Year-2022 Thana- ROSERA District- Samastipur

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Mukul Kumar @ Mukul Kumar Pathak @ Mukul Dev Pathak S/o Bimlesh Pathak @ Vimlesh Pathak R/o Village-Nande Nagar Balaha, P.S.- Rosera, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-01-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Rosera P.S. Case No.412 of 2022 instituted under Sections 341, 323, 379, 307/34 of the I.P.C. and Section 27 of the Arms Act.

3. As per prosecution case, when the informant was returning home at 9.00 p.m. on 24.11.2022, 10-12 persons covering their faces surrounded him and started abusing and snatching his belongings. The informant identified five accused persons including the petitioner. It is further alleged that one co-accused Lalit Jha fired upon the informant which hit on his hand.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. The petitioner is a student. There is a delay of ten days in lodging the F.I.R. without any plausible explanation. The allegation of firing upon the informant is against co-accused Lalit Jha who has already been granted anticipatory bail by this Court vide order dated 25.09.2024 passed in Cr.Misc.No.56510 of 2024. It is further submitted that due to land of a *math*, there is a dispute and two cases were instituted against the petitioner. The police after investigation submitted final form against the petitioner. The petitioner has two criminal antecedents and in both cases he is on bail. The petitioner undertakes to cooperate in the investigation.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, 1st, Rosera Samastipur in connection with Rosera P.S. Case No.412 of 2022, subject to the conditions as



laid down under Section 482 (2) of the Bhartiya Nagrik
Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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