

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.14470 of 2016

Arising Out of PS.Case No. -10 Year- 2015 Thana -MITHANPURA District- MUZAFFARPUR

Rakesh Kumar @ Chunnu Thakur son of Late Kailash Thakur, Resident of
Mohalla- Gannipur, P.s.- Kazi Mohammadpur, District- Muzaffarpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Subodh Kumar, Advocate.

For the Opposite Party/s : Mr. Anusaiya Jaiswal(App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 16-05-2016 Heard the learned counsel for the petitioner as well
as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Mithanpura P.S. Case No. 10 of 2015 registered for the offences
punishable under Sections 302, 307 and 120B/34 of the Indian
Penal Code.

The petitioner is not named in the first information
report and on the basis of confessional statement of co-accused
Ajeet Rai and also of the petitioner made in Runisaidpur P. S.
Case No. 534 of 2014 and Hajipur Sadar P.S. Case No. 361 of
2015 respectively, the petitioner has been implicated in this case.

Submission is of false implication and that besides
the confessional statement, there is no legal and tangible material

against the petitioner and he is suffering in custody since 01.09.2015 and other co-accused Ajeet Rai has already been allowed bail vide Criminal Misc. No. 53359 of 2015.

The learned APP opposes prayer of bail by submitting that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, East Muzaffarpur in connection with Mithanpura P.S. Case No. 10 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Mishra/-

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