

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17004 of 2017

Arising Out of PS.Case No. -42 Year- 2016 Thana -KUNALI District- SUPAUL

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Jai Prakash Mukhiya @ Jay Prakash Mukhia, Son of Ram Bilash Mukhia,
Resident of Village- Simrahi, P.S.- Raghampur, Dist.- Supaul.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ramesh Kumar Singh, Advocate

For the Opposite Party : Smt. Pushpa Sinha (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 02-05-2017 Supplementary affidavit has been filed on behalf of
the petitioner. Let it be kept on record.

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kunouli
P.S Case No. 42of 2016 registered for the offences punishable
under Sections 399, 402, 411 of the Indian Penal Code and
Sections 25(1-b)A, 26, 35 of the Arms Act.

Allegedly, the petitioner and others were
apprehended when they were making planning of dacoity and
from possession of the petitioner two cartridges and one mobile
were recovered.

Submission is of false implication and that the



petitioner has been made victim of the circumstances, nothing was recovered from his possession, after remanding the petitioner in this case, he has been remanded in three more cases and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering that the petitioner is in custody since 24.09.2016 and, as such, now he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of Sri A.K. Pandey, Judicial Magistrate, Birpur, in connection with Kunauli P.S. Case No. 42 of 2016, 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.)

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