

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9055 of 2017

Arising Out of PS.Case No. -275 Year- 2016 Thana -BARACHATTI District- GAYA

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Mukesh Kumar @ Mukhiya Son of Sri Chandrashekhar Prasad@ Teto Sao
Resident of Village- Khajbati, P.S. M.U. Bodhgaya, Distt- Gaya.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar
Mr. Bibhuti Narayan

For the Opposite Party/s : Md. Arif

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 28-02-2017 heard the parties.

This application has been filed in connection with Barachatti P.S.Case No.275 of 2016 for the offence under Sections 272, 273 and 120B of the Indian Penal Code and 47 (a) of Excise Amendment Act, 2016.

It is submitted on behalf of the petitioner that except suspicion, there is nothing against the petitioner and there is no recovery as well as the petitioner has clean antecedent and he is in custody for more than two months.

Heard learned A.P.P. also.

Having heard both sides. In view of the fact that there is no recovery from the possession of the petitioner and he is in custody for more than two months, who is having clean antecedent also, let



the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Gaya in connection with Barachatti P.S.Case No.275 of 2016 .

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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