

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23004 of 2017

Arising Out of PS.Case No. -44 Year- 2017 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Mukesh Kumar, son of Rambharosh Yadav, resident of Village- Kharthuya,
P.S.- Harnaut, District- Nalanda.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Smt. Gulnar Begam, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-05-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Bihar P.S.Case No. 44 of 2017 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and 25 (1 b)a, 26 & 35 of the Arms Act.

Allegation against the petitioner is of recovery of three cartridges.

It has been submitted on behalf of the petitioner that petitioner has no criminal antecedent and he has falsely been made an accused in this case and he has remained in custody for more than three months.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Bihar Sharif, in connection with Bihar P.S.Case No. 44 of 2017, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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