

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12694 of 2017

Arising Out of PS.Case No. -131 Year- 2016 Thana -LAUKHI District- MADHUBANI

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Laxmi Mukhiya, Son of Bindeshwari Mukhiya, resident of village -
Majhari, Police Station - Nirmali, District - Supaul

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun, Advocate

For the Opposite Party : Mr. Ajay Kumar -2 (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 08-05-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Loukhi
P.S Case No. 131 of 2016 registered for the offence punishable
under Section 396 of the Indian Penal Code.

Allegedly, dacoity was committed in a running bus
by 8-10 miscreants wherein Uday Kumar was shot dead and the
miscreants looted away several mobiles, cash and ornaments from
passengers. During investigation, co-accused Raj Kumar Sah
confessed his guilt stating the names of the petitioner and others
and further Ram Sewak Yadav also confessed his guilt.

Submission is of false implication and that besides
confessional statement there is no other legal materials against



him, Raj Kumar Sah who has confessed his guilt and has already been allowed bail vide Cr. Misc. No. 5036 of 2017 by order dated 23.03.2017 by another co-ordinate bench of this Court, as such, the petitioner without any fault suffering in custody since 13.08.2016 deserves sympathetic consideration.

Learned A.P.P. fairly submits that Raj Kumar Sah has been allowed bail.

In the facts and circumstances stated above, the petitioner is also 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 S.K. Rai, learned J.M. 1st Class, Jhanjharpur, in connection with Loukhi P.S. Case No. 131 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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