

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11704 of 2017

Arising Out of PS.Case No. -89 Year- 2016 Thana -SAHAR District- BHOJPUR

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1. Mukesh Kumar @ Mukesh Kumar Yadav @ Mukesh Yadav S/o Sakaldeo Yadav, Resident of Village-Sanghatpar, Babhana, P.S.-Jehanabad,

.... Petitioner/s

Versus

1. The State of Bihar
2. The Thana Incharge, Bakhtiyarpur Under Patna District.
3. The Sub-Division Police Officer, Bakhtiyarpur Thana.
4. Rajeshwar Chaudhary, Son of Kailash Chaudhary, Resident of Village-Naya tola, Madhopur, P.S. Bakhtiyarpur, District-Patna.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jharkhandi Upadhyay
For the Opposite Party/s : Mr. Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 03-04-2017 The petitioner is in custody since 27.08.2016 in connection with Sahar P.S. Case No. 89 of 2016, registered for offences punishable under Sections 395 Indian Penal Code.

It has been submitted on behalf of the petitioner that petitioner's name has surfaced in this case only on the basis of confessional statement of co-accused and except that there is nothing against him so as to connect him in the present case and so far other cases are concerned, it has been submitted that he was apprehended in one case and thereafter remanded in all other cases including the present one and he has been in judicial custody since 27.08.2016.



Learned counsel for the State could not controvert the above fact.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned ACJM, Bhojpur (Ara) in connection with Sahar P.S. Case No. 89 of 2016, subject to the 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 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 reasons, the
prosecution is free to move for cancellation
of his bail.

(Vinod Kumar Sinha, J)

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