

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27403 of 2018

Arising Out of PS.Case No. -157 Year- 2015 Thana -MADHUBANI TOWN District-
MADHUBANI

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Mukesh Pawan @ Disco, Son of Brahmdeo Paswan, Resident of Village -
Pitho, Police Station - Kewati, District - Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is in custody since 18.01.2018 on his
remand in connection with Madhubani Town P.S. Case No.157
of 2015, G.R. No.931 of 2015, registered for the offence under
Section 395 of the Indian Penal Code.

Learned counsel for the petitioner submits that
initially, the petitioner was taken into custody in connection
with Babubarhi P.S. Case No.185 of 2016 and thereafter, he has
been remanded in several other cases. It is further submitted that
in such cases, he has been already granted bail. Learned counsel
for the petitioner submits that so far as the present case is
concerned, the name of the petitioner has surfaced on the basis



of the confessional statement made before the police by one Md. Nadim Nadaf @ Md. Nayeem and thereafter the petitioner was remanded in connection with the present case. It is further submitted that Md. Nadim Nadaf has since been extended the privilege of bail in Cr.Misc. No.23362 of 2018, vide order dated 24.04.2018.

Considering the aforementioned facts and circumstances and that the petitioner's name in connection with the present case has come on the basis of confessional statement made before the police, which has no evidentiary value, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, in connection with Madhubani Town P.S. Case No.157 of 2015, G.R. No.931 of 2015, subject to the following conditions:

- (1) One of the bailors will be the father of the petitioner.
- (2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.
- (3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his



failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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