

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62948 of 2018

Arising Out of PS. Case No.-107 Year-2017 Thana- NAYAGAON District- Saran

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Mukesh Singh, Son of Kishore Singh, Resident of Village- Basantpur
Karkahta, P.S.- Bidpur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary

For the Opposite Party/s : Mr. Sri Umesh Lal Verma

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 12-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Sonepur Nayagaon P.S. Case No. 107 of 2017** registered for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

Allegation against the petitioner is of planning to commit dacoity along with FIR named accused with arms.

It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused Mantosh Singh who has already been granted bail. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 19.12.2017 in Criminal Miscellaneous No. 60602 of 2017, 11.01.2018 in Criminal Miscellaneous No.



63025 of 2017, 19.12.2017 in Criminal Miscellaneous No. 61821 of 2017, 31.01.2018 in Criminal Miscellaneous No. 5260 of 2018 and 28.06.2018 in Criminal Miscellaneous No. 22633 of 2018. Petitioner is in custody since 06.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate, 13th, Chapra, Saran**, in connection with **Nayagaon P.S. Case No. 107 of 2017**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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