

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54655 of 2018

Arising Out of PS.Case No. -127 Year- 2018 Thana -DAUDNAGAR District- AURANGABAD

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Mukesh Kumar @ Mukhiya S/o Sant Kumar Das@ Sant Ravidas
Resident of Daudnagar (Pachkathwa- Ravidas Basti), Chamartoli, Ward
No. 21 (Old), P.S. Daudnagar, District- Aurangabad.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mrs. Meena Singh,
Mr. Bhaskar Shankar, Advocates

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 20-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 323, 302, 448 and 504 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Daudnagar P.S. Case No. 127 of 2018.

3. It is submitted that the petitioner has been falsely implicated as there is specific allegation against co-accused, namely, Arjun Ram and Sanjay Ram causing injury to Geeta Devi and there in no allegation of any overt act against the petitioner. Similarly situated co-accused, namely, Bhanu @ Bhalu Ram @ Sunil Kumar and Kallu Ram @ Jitu Kumar have been granted anticipatory bail by this Court in Cr. Misc. No. 41967 of 2018.

4. Having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the



date of communication of this order, let the above named petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 127 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following further conditions -

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation 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.

(iv) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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