

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38296 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- TRIVENIGANJ District- Supaul

Mukesh Kumar Yadav, Son of Bharat Lal Yadav, Resident of Village- Chikna Patti, Ward No.-13, P.S.- Raghapur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patla Kumari

For the Opposite Party/s : Mr. Binod Kumar

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 09-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Triveniganj
P.S. Case No. 147 of 2018 for offences punishable under
Sections 399, 402 of the Indian Penal Code.

The prosecution case, as lodged by the police
personnel, is that on secret information that some miscreants are
unloading food bags from the truck near FCI godown the police
conducted a raid and apprehended four persons including the
petitioner, while another co-accused managed to flee away in a
Bolero car. The petitioner and others confessed before the police
that they are habitual in committing loot of food bags from the
truck near FCI godown.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. It is submitted that the petitioner had some verbal fight with the police and has been falsely made accused. It is further submitted that no incriminating article has been recovered from the possession of the petitioner and he is languishing in judicial custody since 19.04.2018.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-I, District- Supaul/concerned Court/ Successor Court, in connection with Triveniganj P.S. Case No. 147 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will cooperate in the investigation/trial and will appear before the police station/Court as and



when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

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