

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5617 of 2019

Arising Out of PS. Case No.-87 Year-2018 Thana- GADHPURA District- Begusarai

Phulo Mukhiya, Male aged about 65 years, Son of Late Kallu Mukhiya,
Resident of village Katahrito, P.S.-Garpura District .-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Adv.

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1 (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 08-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail
registered for the offences punishable under Sections 364,
341, 323, 307, 34 of the Indian Penal Code.

Informant has alleged that all FIR named
accused persons including petitioner kidnapped his son from
Purnea Hospital on 12.08.2018 and brutally assaulted with
lathi and rod.

It has been submitted on behalf of the petitioner
that he is innocent and has committed no offence. He has
been falsely implicated in this case. There is no specific
allegation against the petitioner. There is delay of 8 days in



lodging the FIR, without explaining the plausible reason. Petitioner has no criminal antecedent and is in custody since 21.08.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Garpura P.S. Case No. 87 of 2018, subject to 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.

(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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