

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8927 of 2019

Arising Out of PS. Case No.-828 Year-2018 Thana- KOTWALI District- Patna

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MUKUT KUMAR @ MAKUT KUMAR, aged about 27 years, (M) Son of
Late Uday Yadav Resident of Village - Shankar B, At presently residing at
Near R Block Pool, Ps- Gardanibagh, Distt - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Sharma
For the Opposite Party/s : Mr.Ajay Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-03-2019 Heard learned counsel for the parties.

Petitioner, who is in custody, seeks bail registered
for the offences punishable under Sections 356, 379, 401, 413
and 414 of the Indian Penal Code.

Informant who is a police officer has alleged in his
written complaint that on receipt of secret information he along
with other police personnel raided said place and on seeing
police party petitioner along with other miscreants started
fleeing away but on chase they were apprehended and on search
stolen mobiles were recovered from their possessions.
Allegation against petitioner is of recovery of two stolen
mobiles from his possession and on demand no valid documents
were produced.



It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to high handedness of police. No incriminating material has been recovered from the possession of petitioner. It has been further submitted that similarly placed co-accused has been granted bail by co-ordinate Bench of this Court vide order dated 26.02.2019 passed in Cr. Misc. No. 11641 of 2019. He is in custody since 02.12.2018.

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 court below where the case is pending in connection with **Kotwali P.S. Case No. 828 of 2018**, 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, 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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