

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26880 of 2019**

Arising Out of P.S. Case No.-542 Year-2018 Thana- KHAGARIA District- Khagaria

MUKUT YADAV @ MUKUL YADAV, aged about 28 years, Male, Son of
Umesh Yadav Resident of Village - Sanjhoti, P.S.- Alauli, District - Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Shekhar Kumar Singh, Advocate
For the Opposite Party : Mr. Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 17-07-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated and he is not named in the FIR. His name has transpired only on the extra judicial confessional statement of co-accused Sagun Yadav. Besides this, there is no other material to connect the petitioner with the alleged offence. It is further submitted that similarly situated co-accused has already been granted anticipatory bail by a coordinate Bench of this Court in Cr.Misc.No.20970 of 2019 vide order dated 04.04.2019.



Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/successor Court in connection with Khagaria P.S.Case No.542 of 2018 corresponding to G.R.No.2223 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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.

(ii) That the petitioner shall cooperate with the investigation, if not already concluded, 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.

(Prabhat Kumar Singh, J)

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