

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1889 of 2019

Arising Out of PS. Case No.-65 Year-2013 Thana- DANAPUR District- Patna

Mukesh Thakur, son of Naresh Thakur, resident of village Chapura, P.S.
Gaurichak, Distt. Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kameshwar Prasad Sinha, Advocate.

For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and the

State.

The petitioner seeks bail in Sessions Trial No. 1244
of 2013 arising out of Danapur P.S. Case No. 65 of 2013
instituted for the offence under Section 302 of the Indian Penal
Code.

Counsel for the petitioner submits that petitioner in
the instant case is in custody since 16.5.2013. The case is
pending for evidence. He further submits that five witnesses
have been examined and other two witnesses are yet to be
examined.

Petitioner is not named in the written report. During
investigation, the police has recorded statement of one Md.
Raza who named this petitioner and, thereafter, the police



recorded confessional statement of the petitioner and remanded him in the case on 16.5.2013 and since then he is in custody.

It is mentioned in paragraph-5 of the bail petition that case has been committed to the court of Sessions on 27.9.2013 following the cognizance in this case on 6.7.2013. Charges have been framed on 17.6.2014 for the offence under Sections 302 and 448 of the Indian Penal Code and till date only five witnesses have been examined.

In such circumstances, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released 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 Sessions Judge-VII at Danapur, in connection with Sessions Trial No. 1244 of 2013 arising out of Danapur P.S. Case No. 65 of 2013, subject to the condition that both the bailors will be the close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the



case, in that event, prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(Sanjay Priya, J)

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