

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54800 of 2019

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

Birju Mukhiya, aged about 19 years, Male, Son of Jay Jay Ram Mukhiya
Resident of Village - Katahri Gadhpura, P.S.- Gadhpura, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Nilesh Kumar, Advocate
For the Opposite Party	:	Mr. Mithlesh Kumar Khare, APP
For the Informant	:	Mr. Ajay Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-10-2019 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State and perused the case
diary.

The petitioner is in custody in connection with
Gadhpura P.S.Case No.87 of 2018 registered for an offence
under Sections 302, 364, 341, 323 and 307/34 of the Indian
Penal Code.

As per prosecution case, it is alleged that this
petitioner and four others alleged to have assaulted the deceased
by stick, iron rod and brick.

It is submitted on behalf of the petitioner that
informant is not an eye witness to the alleged occurrence. There
is delay of eight days in lodging the FIR without explaining the
plausible reason. He further submits that similarly situated co-



accused has already been granted bail by a coordinate Bench of this Court in Cr.Misc.No.5617 of 2019 dated 08.03.2019. Petitioner has got no criminal antecedent and is in custody since 22.06.2019, chargesheet having been submitted.

Considering the aforesaid facts and circumstances, let the petitioner above named 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 Additional Chief Judicial Magistrate-IV, Begusarai in connection with Gadhpura P.S.Case No.87 of 2018 with following conditions:-

(i) Petitioner shall cooperate 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.

(ii) If the petitioner tamper 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.

B.Kr./-

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(Prabhat Kumar Singh, J)

