

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53641 of 2019

Arising Out of PS. Case No.-378 Year-2016 Thana- NAUBATPUR District- Patna

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MUKESH KUMAR Son of Deo Nandan Singh @ Deo Nandan Rai Resident
of Village - Khajuri Ramnagar Tola, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 28-08-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Sessions Trial No. 396 of 2019 arising out of
Naubatpur P.S. Case No. 378 of 2016 registered for the offence
punishable under Section 302/34 of the Indian Penal Code and
27 of Arms Act.

Petitioner had earlier moved this Court for regular
bail vide Cr. Misc. No. 66323 of 2018 which was rejected on
14.12.2018 with a liberty to renew his prayer for bail after
completing one year in custody.

It has been submitted on behalf of petitioner that
petitioner is innocent and has been falsely implicated in this
case. There is no eye witness of the occurrence. Petitioner has



no criminal antecedent and he is in custody since 01.08.2018.

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 Additional Sessions Judge-1st, Danapur, Patna, in connection with Sessions Trial No. 396 of 2019 arising out of Naubatpur P.S. Case No. 378 of 2016 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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