

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77770 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- JAMALPUR District- Munger

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Mukesh Kumar @ Mukesh Yadav Son of Brajesh Kumar @ Lakhan Lal
Yadav Resident of Village- Ramchandarpur, P.S- Jamalpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rakesh Kumar

For the Opposite Party/s : Mr.Sri Mustaque Alam

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 03-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Jamlpur P.S. Case No. 140 of 2018** registered for the offence punishable under Section 392 of the Indian Penal Code.

Informant has alleged that after withdrawing an amount of Rs. 4,95,600/-. They were going on motorcycle to deposit the same in the bank. Meanwhile two miscreants snatched away the bag on the strength of arms and fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Name of the petitioner has transpired in this case on the basis of confessional statement made by co-accused Raushn Kumar and except said confession there is no incriminating material against the petitioner. Nothing has been recovered from his possession.



He has got no criminal antecedent. Similarly placed co-accused Raushn Kumar has been granted bail by co-ordinate Bench of this Court as contained in Annexure-3. He is in custody since 17.09.2018.

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 **Chief Judicial Magistrate, Munger** in connection with **Jamlpur P.S. Case No. 140 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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