

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61956 of 2019

Arising Out of PS. Case No.-88 Year-2018 Thana- BHADAUR District- Patna

=====

MUKESH KUMAR Son of Ramji Yadav Resident of Village- Son diha, P.S.-
Sarmara, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Yogendra Kumar(App88)

=====

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 15-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 01.12.2018 in
connection with S. Tr. No. 650 of 2019 arising out of Bhadaur
P.S. Case No. 88 of 2018 for the offence registered under
Sections 302, 201 and 120(B) of the Indian Penal Code and
Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
first information report is against unknown persons but
subsequently, the petitioner was taken into custody on suspicion
and he was made to give a self confessional statement before the
police implicating himself which has no evidentiary value. It is
further submitted that there are no eye witness to the occurrence
and only on the basis of the said self confessional statement, the



petitioner has been languishing in jail. It is further submitted that since now the matter has been committed and charge has been framed, the petitioner may be extended the privilege of bail as another similarly situated co-accused persons has since been extended the privilege of bail vide order dated 17.08.2019 passed in Cr. Misc. No. 27739 of 2019. It is further submitted that the petitioner undertakes that he shall present as and when required.

Learned counsel for the informant is present and stiffly resisted the bail application of the petitioner.

Considering the aforesaid facts and circumstances of the case and that the petitioner has no criminal antecedent, 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 Additional Sessions Judge – IInd, Barh, Patna in connection with S. Tr. No. 650 of 2019 arising out of Bhadaur P.S. Case No. 88 of 2018, subject to the following conditions :-

1. One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.
2. The petitioner shall not indulge himself in any similar offence till conclusion of the trial.



3. The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

4. The petitioner shall co-operate 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.

(Anjana Mishra, J)

Jagdish/-

U		T	
---	--	---	--

