

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78626 of 2018

Arising Out of PS. Case No.-25 Year-2018 Thana- SILAO District- Nalanda

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Mukesh Kumar son of Amirak Mahto Resident of Village- Loharpura,
Police Station- Kadriganj, District- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rabindra Prasad Singh

For the Opposite Party/s : Mr.Sri Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

2 25-01-2019 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Silao
P.S. Case No. 25 of 2018 for the offence under Sections 399
and 402 of the Indian Penal Code and Section 25(1-b)a, 26,
35 of the Arms Act.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has not
committed any offence. In fact, nothing incriminating has
been recovered from the conscious possession of the
petitioner. Charge sheet in this case has been submitted and
there is no allegation of tampering with the prosecution
witnesses by the petitioner. The petitioner is rotting in



judicial custody 16.02.2018. Moreover, one of the accused, Sajan Singh, having more or less similar allegation has already been granted regular bail by a co-ordinate Bench of this Court in Cr. Misc. No. 40984 of 2018 and the case of the petitioner stands on similar footing.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 the learned C.J.M., Nalanda at Biharsharif in connection with Silao P.S. Case No. 25 of 2018, subject to the conditions that:

- (1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.
- (2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.
- (3) It is also made clear that if, in future, petitioner indulges in an offence of similar



nature, the prosecution will be at liberty to
move the learned Court below for cancellation
of his bail bonds.

(Arvind Srivastava, J)

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