

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.17890 of 2020**

Arising Out of PS. Case No.-830 Year-2019 Thana- BETTIAH CITY District- West
Champaran

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MUKESH KUMAR SONI Son of Brij Mohan Prasad Resident of Village -
Purani Gudari, P.S.- Kalibagh O.P., District - West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.B.N. Mishra, Advocate

For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 05-06-2020 This application has been placed for consideration

by the order of the Hon'ble the Chief Justice through virtual

court proceeding.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular
bail in connection with Bettiah Town P.S. Case No. 830 of 2019
registered for the offences punishable under Section 394 of the
Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in the
present case and nothing incriminating has been recovered from
the possession of the petitioner. He has remained in custody



since 21.11.2019.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel of the petitioner that he is not named in the First Information Report, till date he has not been put on test identification parade and nothing incriminating has been recovered from the possession of the petitioner and petitioner has remained in custody in the present case since 21.11.2019, investigation against him is complete and one case in which he is accused, he is on bail, let the petitioner above named be released on bail on furnishing of bail bonds o of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran in connection with Bettiah Town P.S. Case No. 830 of 2019, subject to the conditions as laid down under Section 437(3) of the Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected,



oft he commission of which he is suspected, and

(c) that such person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that he will abide by and observe the guidelines and directives of the Government of India and the State Government with regard to COVID-19 Pandemic during the lockdown period. The authorities concerned shall take appropriate steps to ensure such observance prior to and after release of the petitioner.

The application is allowed.

(Rajeev Ranjan Prasad, J)

SUSHMA2/Arvind

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

