

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67707 of 2019

Arising Out of PS. Case No.-27 Year-2019 Thana- SONNAGAR RAIL P.S. District- Gaya

MUKESH CHAUDHARY @ MUKESH KUMAR, S/o Lakhan Chaudhari,
Resident of Village - Ankorha, P.S. - N.T.P.C. Khaira, District - Aurangabad.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 04-03-2020 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 302, 120(B) and 201/34 of the Indian Penal Code.

Petitioner is not named in the FIR of the occurrence of murder whereas some others are named. There is no material against the petitioner. Name of the petitioner surfaced in the statement of Soni Kumari during investigation of the case. Petitioner is in custody since 07.07.2019. Investigation of the case is already complete against the petitioner.

Learned counsel for the informant opposed the prayer for bail on the ground that Soni Kumari and her mother have supported the allegation against the petitioner as eyewitness of the occurrence wherein they stated that the petitioner and others



took the deceased and bitterly assaulted him and after death thrown the dead body on the railway track.

Considering the fact that name of the petitioner has surfaced during investigation of the case whereas some others are named in the FIR as well as completion of investigation of the case against the petitioner and the fact that there is no material to suggest that the petitioner is going to tamper with the evidence or hamper the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sone Nagar Rail Police Station Case No. 27 of 2019, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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