

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86389 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- TARAPUR District- Munger

MITHUN KUMAR Son of Rambilash Mandal @ Awadhesh Mandal Resident
of Village - Siyadih (Dhanuk Tola), P.S.- Bath, Distt - Bhagalpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajendra Prasad Yadav, Advocate
For the Opposite Party/s : Mr.Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 18-01-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner in this case is seeking regular bail in connection with Tarapur P.S. Case No. 69 of 2018 registered for the offence punishable under Section 379 of the Indian Penal Code.

Learned counsel for the petitioner submits that the petitioner has been implicated in this case on the basis of confessional statement of co-accused, nothing has been recovered from his possession and it is further submitted that the petitioner was not aware regarding the present case as he was in custody in connection with Tarapur P.S. Case No. 144 of 2018 under Section 379 IPC in which he has been granted regular bail in Cr. Misc. No. 29299 of 2019 on 12.05.2019 and in this case he is in custody since 24.10.2019.



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

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the name of the petitioner has transpired in the confessional statement of co-accused, nothing has been recovered from possession of the petitioner and further submission that the petitioner was not aware of this case as he had been in custody in connection with Tarapur P.S. Case No. 144 of 2018 under Section 379 IPC in which he was released after grant of regular bail in Cr. Misc. No. 29299 of 2019 on 13.05.2019 and that in the present case he is in custody since 24.10.2019, let the petitioner above named be released on bail in connection with Tarapur P.S. Case No. 69 of 2018 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. IV, Munger, subject to the condition as laid down under Section 437 (3) 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, of



the 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.

(Rajeev Ranjan Prasad, J)

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