

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.12217 of 2021**

Arising Out of PS. Case No.-370 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

Mukesh Kumar Choudhary @ Mukesh Chaudhary Son of Kapil Choudhary  
Resident of Village - Surapur, P.S. - Hussainganj, District - Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr.Ranjan Kumar Dubey, Advocate  
For the Opposite Party/s : Dr. Indihar Kumari A.P.P

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH  
ORAL ORDER**

2      28-06-2021      Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 414 and other ancillary sections of the Indian Penal Code.

As per the prosecution case, on secret information with respect of theft of vehicles, police arrested one Sunil Kumar who disclosed the name of the petitioner as his associate.

Learned counsel for the petitioner submits that it will be evident from the prosecution case that the petitioner was



arrested on 2.8.2020 while he along with others were fleeing away after committing theft of Bolero vehicle and in that case he made confession and disclosed the name of some other accused persons including said Sunil Singh. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner is in custody since 15.9.2020.

Considering the rival submissions of the parties, materials available on the record and the fact that no incriminating material has been recovered from the conscious possession of the petitioner and he is in custody since 15.9.2020, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in Siwan Mufassil Police Station Case No. 370 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move  
for cancellation of bail.

**(Prabhat Kumar Singh, J)**

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