

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21871 of 2021**

Arising Out of PS. Case No.-243 Year-2015 Thana- KUDRA District- Kaimur (Bhabua)

Mukesh Chaubey S/O Ram Briksh Chaubey R/O Village-Bidamanchak, P.S.-
RAMGARH, District-Kaimur (BHABUA).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha
For the Opposite Party/s : Mrs. Renu Kumari, APP

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

2 15-07-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Kudra P.S. Case No. 243
of 2015, registered for the offence punishable under Sections
302, 201/34 of the Indian Penal Code and section 27 of the
Arms Act.

As per the prosecution case, informant's sister was
married with Najre Alam five years ago. On 31.08.2015 at 01.00
pm in the Najre Alam brother-in-law of the informant came to
the house of informant along with Soni Bano informant's
younger sister. At 4.00 pm informant boarded her brother-in-law
on a bus from Mughalsarai to Banaras. On 01.09.2015 at 9.30



am informant got information from police station that her brother-in-law has been shot dead by unknown miscreants and his dead body was found in a village.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Suhel Ahmad who has already been granted bail by this Court vide order dated 23.02.2016 passed in Cr. Misc. No. 1579 of 2016. Petitioner is having clean antecedent and he is in custody since 23.12.2020. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional Chief Judicial Magistrate VIth, Kaimur at Bhabua in connection with Kudra P.S. Case No. 243 of 2015, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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