

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3962 of 2022

Arising Out of PS. Case No.-186 Year-2016 Thana- LAUKAHI District- Madhubani

Mukesh Yadav @ Mukesh Kumar Yadav Son of Ramswaroop Yadav Resident
of Village - Rajora, Mahthora, P.S. - Andhramath, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate
For the Opposite Party/s : Mr. Shailendra Kumar, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 13-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Laukahi P.S. Case No. 186 of 2016 instituted for the offences
punishable under Sections 392 of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 30.06.2021, charge-sheet has been
submitted in the case and has antecedent of 21 cases.

As per the First Information Report, the prosecution
case in brief is that informant is working as salesman in the shop
of Ram Kumar Gupta, owner of *Sada Sukhi Drug Agency*. On
20.10.2016 at about 09:30 am, in course of returning at near



South Chimney, three unknown persons intercepted his motorcycle and snatched the collected money Rs. 28,000 which was collected and his Honda Syne motorcycle bearing no. BR07L-6146, PAN Card, one mobile containing SIM card no. 840918970 and his own money Rs. 1,700 were also snatched on the point of showing country made pistol and one person riding over Discover motorcycle fled away as stated in the First Information Report.

Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He has been implicated in the present case merely on suspicion and also submitted that petitioner was never subjected to Test Identification Parade (T.I.P.) by the police. Further, it is submitted by learned counsel for the petitioner that he was arrested on 26.05.2018 in connection with P.S. Case No. 57 of 2018 and remanded in the present case after lapse of three years. Further, it is submitted that nothing incriminating articles has been recovered from the possession of the petitioner.

Learned A.P.P. for the State vehemently opposed the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 30.06.2021, charge-sheet has been submitted in the case,



let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Jhanjharpur, Madhubani in connection with Laukahi P.S. Case No. 186 of 2016 subject to 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.

(Khatim Reza, J)

Gaurav Kumar/-

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