

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8247 of 2022

Arising Out of PS. Case No.-92 Year-2021 Thana- MOKAMAH District- Patna

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1. MITHILESH KUMAR @ MITHILESH BIND Son of Kiro Singh @ Kiro Bind Resident of Village - Barahpur Bind Toli, P.s.- Mokama, Distt.- Patna.
 2. Anil Kumar @ Kurra Son of Late Laxmi Bind Resident of Village - Barahpur Bind Toli, P.s.- Mokama, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kr Singh No.1

For the Opposite Party/s : Mr. Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 22-06-2022 Learned counsel for the petitioners is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under section 392 of the Indian Penal Code.

As per prosecution case, three unknown miscreants overtook the motorcycle of the informant who was going from Bhagalpur to Patna and on the point of pistol, they looted motorcycle and two mobiles.



Learned counsel for the petitioners has submitted that the petitioners have falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioners. The petitioners has criminal antecedent as stated in para 3 of the bail petition. It is further submitted that the name of the petitioners has surfaced on the confessional statement of Mithilesh Bind and the petitioners are in custody since 30.07.2021. No T.I. Parade has been conducted.

Learned A.P.P. for the State has opposed the bail petition of the petitioners and submits that the petitioners have criminal antecedent of similar nature and two antecedent of N.D.P.S. Act.

Considering the aforesaid facts and circumstances, the petitioners above-named, are directed to be enlarged on bail on their furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M Barh, in connection with Mokama P.S. Case No. 92 of 2021 with following conditions :-

(1) One of the bailors must be close relative of the petitioners.

(2) The petitioners are directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable cause, the bail bond of the petitioners will liable to be cancelled.

(3) If the petitioners are found involved in similar nature of offence in future, their bail bond shall stand automatically cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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