

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10175 of 2022

Arising Out of PS. Case No.-358 Year-2013 Thana- HAJIPUR SADAR District- Vaishali

Mukesh Singh Son of Laddu Singh Resident of Village- Sakrwar Tola,
Mokama, Lpolice Station- Mokama, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 358 of 2013 registered for the offence under
Sections 302, 120(B) and 34 of the Indian Penal Code.

The accused/petitioner is not named in the F.I.R. and
is in custody since 10.10.2021.

The crux of allegation against the petitioner is to kill
one of the companion prisoners, namely, Rambalak Ram while
in judicial custody in Barrack no. ¾ of district Vaishali.

Learned counsel appearing on behalf of the petitioner
submitted that the name of petitioner purely surfaced on



suspicion merely for the reason that the petitioner was lodged in same barrack in which the alleged death, in judicial custody, took place. It has also been submitted that other similarly situated co-accused persons have already been granted bail by a learned Co-ordinate Bench of this Hon'ble Court. It has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that the name of the petitioner surfaced on suspicion.

Considering the facts and circumstances as mentioned above, as the name of the petitioner surfaced on suspicion coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Sadar P.S. Case No. 358 of 2013 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to the following conditions:

“(i) Accused/Petitioner shall



cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

(ii) That one of the bailors shall be the close relative of the accused/ petitioner like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

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