

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28039 of 2021

Arising Out of PS. Case No.-771 Year-2019 Thana- KOTWALI District- Patna

Mukesh Kumar @ Babloo Kumar S/O Late Jawahar Ram R/O Punpun
Bandhpar, P.S Punpun, District- Patna, Presently Residing At Rupaspur
Bhattha (Renter In House Of Virin Singh) P.S Rupaspur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar,Adv

For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Kotwali
P.S.Case No.771 of 2019 registered for the offence under
Section 394 of the Indian Penal Code and Section 27 of Arms
Act.

The FIR is against unknown.

Learned counsel appearing for the petitioner submits
that the petitioner is not named in the FIR. He has falsely been
implicated in the present case only on the basis of self-
confessional statement of the petitioner. He further submits that
nothing has been recovered from the conscious possession of
the petitioner and the police, after investigation, submitted



chargesheet against the petitioner. During investigation, nothing has come against the petitioner. Petitioner is in custody since 10.05.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries nine criminal cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Patna connection with Kotwali P.S. Case No.771 of 2019 with 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at



any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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