

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19936 of 2022

Arising Out of PS. Case No.-10 Year-2020 Thana- MUZAFFARPUR RPF/POST District-
Saran

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Mukul Kumar @ Mukul Paswan S/o Biltu Paswan R/o Village- Bhikhanpura
Dih, P.S.- Sadar, Dist- Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate
		Mr. Rajeev Ranjan No.II, Advocate
For the Opposite Party/s :		Mr. Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 27-04-2022 Heard counsel for the parties.

The petitioner is in judicial custody in connection with Muzaffarpur RPF Post Case No. 10 of 2020 under section 3 RP(UP) Act presently pending before the Court of Railway Judicial Magistrate, Sonpur at Saran.

As per the allegation, the In-charge Inspector of the RPF Post, Muzaffarpur got information that DHE wire is being stolen away from the tower wagon shed at Ramdayalu station. Upon information, the police force reached the spot and apprehended two persons and recovered some copper wire and blade from their possession whereas the other persons fled away from the place of occurrence.

Learned counsel for the petitioner is amongst them



who took the first chance to leave the place. His name has come up in the confessional statement of apprehended accused persons.

Learned counsel further submits that the petitioner is in custody since 8.7.2021 (as stated in para 12 of the bail application). He further submits that one of the apprehended person, namely, Biltu Paswan has since been released on bail by a coordinate bench of this Court in Cr. Misc. No. 22113 of 2021 vide an order dated 5.10.2021.

Taking into account the aforesaid facts as also that the charge-sheet has been submitted and he is in custody since 8.7.2021, this Court is inclined to grant him the privilege of bail but with certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned R.J.M., Sonpur (Saran), in connection with Muzaffarpur RPF Post Case No. 10 of 2020 subject to the following conditions:-

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

The bail application is allowed with the aforesaid observation.

(Rajiv Roy, J)

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