

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52185 of 2021

Arising Out of PS. Case No.-118 Year-2021 Thana- BUXAR INDUSTRIAL District- Buxar

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MUKESH KUMAR SON OF BIMAL YADAV RESIDENT OF VILLAGE-
KUKURHA (KUKUDHA) P.S- AGIYAON , DIST- BHOJPUR (ARA).

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Uday Kumar, Advocate.

For the State : Mr. Rajendra Nath Jha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 04-03-2022 The applicant has claimed out of turn hearing on the ground of ailment of his father, the thing which is not disputed by the prosecution despite grant of time.

The applicant is an accused in Crime No. 118 of 2021 registered with Police Station- Buxar (Ind) for the offence punishable under Section 414 read with Section 34 of the Indian Penal Code.

Heard learned counsel appearing for the applicant/ accused. He submits that the applicant was having clean antecedents but after arrest in this crime on 06.07.2021, he is implicated in some other crimes by the police. It is further argued that there is no evidence to connect the applicant in the crime in question.

The learned A.P.P. opposed the application by contending that the applicant is having criminal antecedents and he was found in the vehicle which was stolen vehicle. Ornaments were recovered from the said vehicle as well as accompanying four wheeler vehicle.



I have considered the submissions so advanced and also perused the materials placed before me.

Police intercepted two vehicles on the basis of secret information. In all 8 inmates of those vehicles came to be arrested. The applicant was one amongst them. From both vehicles police seized some ornaments. It was found that both vehicles were stolen vehicles.

The investigation of the subject crime is over. The applicant is undergoing pretrial detention from 07.07.2021. In this view of the matter, further pretrial detention of the applicant is not warranted. Therefore, the following orders:

- (i). The application is allowed.
- (ii). The applicant/accused in Crime No. 118 of 2021 registered with Police Station- Buxar (Ind) for the offence punishable under Section 414 read with Section 34 of the Indian Penal Code, be released on bail on executing P.R. bond of Rs.20000/-(Rupees Twenty Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious



disposal of the trial against him.

(III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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