

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59243 of 2021**

Arising Out of PS. Case No.-246 Year-2019 Thana- KOTWALI District- Patna

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Mukut Kumar @ Mukut Yadav @ Mukut Kumar Yadav S/O Late Uday Yadav
R/O-Yarpur Pul Ke Niche, R. Block, P.S-Gardanibagh, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Advocate
For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-04-2022 Heard counsel for the parties.

The petitioner is in judicial custody in connection with Kotwali P.S. Case No. 246 of 2019 under Section 457/380 of the Indian Penal Code.

The allegation in the FIR is that the informant alleged that from his construction site, several articles were stolen and as such he suspected that the accused persons have decamped with the said articles.

Learned counsel for the petitioner submits that merely because he is accused in number of cases, his name has come up in the case on the confessional statement of accused Sunil Tiwary @ Sunil Kumar who is now on bail.



He submits that he has been remanded in this case in August, 20 and if enlarged on bail, is ready to abide by any terms and conditions this Court may impose.

Taking into account the aforesaid facts as well as the fact that the charge-sheet has already been submitted, let the petitioner be released on bail on furnishing bail bond of Rs. 20000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna, in connection with Kotwali P.S. Case No. 246 of 2019. Further considering the fact that he has nine criminal cases lodged against him, strict conditions are necessary to put a check on him so that he does not misuse the bail granted to him in this case. The conditions are:-

(i) one of the bailors should be the family members of the petitioner and will produce official document to show his/her bona fide;

(ii) the petitioner shall ensure his presence in the pending trial on each and every date and failure to do so for two consecutive dates without plausible reason, the Trial Court shall cancel the bail bond;

(iii) he shall visit the local police station every fortnight for three months to mark his presence;



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

(Rajiv Roy, J)

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