

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 51422 of 2022

Arising Out of PS. Case No.-63 Year-2021 Thana- PIRI BAZAR District- Lakhisarai

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MUKESH KUMAR @ PAGO Son of Aajo Mahto R/o Village - Khawa, P.S.-
Mednichauki, District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 09-12-2022 The matter has been taken-up through video conference.

Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 457 and
382 of the Indian Penal Code.

Allegation of commision of theft in the house of the
informant and looting of ornaments and other articles against
unknown persons.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. It is also submitted that the petitioner is not named in the F.I.R. No incriminating articles were recovered from the possession of the petitioner. Further, it is submitted that the petitioner's name transpired in this case only on the basis of confessional statement of another co-accused, Saryjeet Kumar, who has also been made accused in this case. The petitioner is in custody since 15.07.2021, has antecedent of three cases and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. 2nd Lakhisarai in connection with Piri Bazar P.S. Case No. 63 of 2021, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation,



preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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