

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52255 of 2022

Arising Out of PS. Case No.-58 Year-2020 Thana- RAJNAGAR District- Madhubani

AKASH KUMAR, S/o Satya Narayan Mukhiya, Resident of Village-
Korahiya, P.S.- Jaynagar, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-10-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Rajnagar P.S.
Case No. 58 of 2020 registered under Sections 395, 392 and
412 of the IPC.

The petitioner's prayer for bail was earlier rejected on
05.03.2021 in Cr. Misc. No.39441 of 2020. Thereafter it was
again rejected on 09.03.2022 in Cr. Misc. No.55503 of 2021. He
is stated to be in custody since 25.02.2020. The prayer has been
renewed claiming parity with co-accused against whom similar
allegations, as has been made against the petitioner.

Learner counsel for the petitioner referred to the
Order passed in the case of co-accused Abhishek Kumar Yadav
in Cr .Misc. No.19198 of 2021 as also in the case of Vijay



Kumar Sah in Cr. Misc. No.46875 of 2021. He further submits that there is no progress at the trial whatsoever.

The learner APP has opposed the prayer for bail.

Considering the rival submissions, claim based on parity and period of custody along with the fact that there is no progress at the trial, the prayer of bail for the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Learned Additional Sessions Judge 3rd, Madhubani, in Rajnagar P.S. Case No. 58 of 2020, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.
- (ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks



from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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