

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67989 of 2021**

Arising Out of PS. Case No.-336 Year-2017 Thana- HAJIPUR SADAR District- Vaishali

=====

MUKESH RAI @ MUKESH KUMAR Son of Ram Nath Rai Resident of
Village- Dighi Kala West, P.S.- Sadar Hajipur, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ranjit Kumar Thakur

For the Opposite Party/s : Mr.Anita Kumari Singh

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 16-05-2022 Heard learned counsel appearing on behalf of the

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

Let the defect(s), if any, be removed within two
weeks of the complete start of the physical Court in normal
course.

The petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 336 of 2017 for the offence
punishable under Sections 147, 148, 149, 341, 447, 323, 307,
302, 504, 506 and 120B of the Indian Penal Code.

As per the prosecution story, specific allegation has
been made against co-accused Jai Prakash Rai who assaulted the
victim Rajiv Kumar Sharma and other co-accused also assaulted
him with lathi and danda.

Learned counsel appearing on behalf of the petitioner



submits that the petitioner is innocent and he has falsely been implicated in this case. He further submits that he is not named in the F.I.R. His name has surfaced in course of investigation on the basis of CCTV footage. The CCTV footage is of public place and accidentally he was present at the time of commission of offence. Nothing has been recovered from conscious possession of the petitioner. The petitioner has clean antecedent and he is in custody since 09.09.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the aforementioned facts and circumstances of the case, specific allegation of assault is against co-accused Jai Prakash Rai, there is no allegation of tampering with the evidence or influencing the witnesses and trial is not likely to be concluded soon, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 336 of 2017, subject to the following conditions:-

- (1) Bailors should be local having sufficient



immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

