

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13305 of 2023

Arising Out of PS. Case No.-312 Year-2022 Thana- BAKHARI District- Begusarai

1. RAHUL KUMAR SON OF DILIP MUKHIYA R/O VILL.- SONMA,
WARD NO. 10, P.S.- BAKHRI, DISTT.,- BEGUSARAI
2. KUNDAN MALIK SON OF LATE SAGAR MALIK R/O VILL.- SONMA,
WARD NO. 10, P.S.- BAKHRI, DISTT.,- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma

For the Opposite Party/s : Mr.Rajendra Nath Jha,APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 17-05-2023 Heard the learned counsel for the petitioners and

learned APP for the State.

At the very outset, the learned counsel for the petitioners has submitted that petitioner no.2, namely, Kundan Malik has been granted bail by a coordinate Bench of this Court in Cr.Misc.No.16681 of 2023, as such the application as against him has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.2.

In view of aforesaid, the application against petitioner no.2 stands dismissed as withdrawn.

This is an application for regular bail on behalf of petitioner no.1 Rahul Kumar for the offences alleged under Sections 379 and 411 of the Indian Penal Code registered in connection with Bakhri P.S.Case No.312 of 2022.

The learned counsel for petitioner no.1 has submitted



that he is in custody since 04.10.2022 for the allegation of motor-cycle theft. He is a person of clean antecedent.

Considering the above facts and circumstances, clean antecedent and period of incarceration, **let petitioner no.1 Rahul Kumar be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand)** with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S.Case No. 312 of 2022, subject to the following conditions:-

1. Petitioner no.1 shall cooperate in the disposal of trial and make himself available as and when required by the court.
2. If petitioner no.1 is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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