

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22530 of 2023

Arising Out of PS. Case No.-894 Year-2022 Thana- BIHAR District- Nalanda

Mukesh Kumar, S/o Raj Kishor Yadav, R/O Village- Ganjapar, P.S-
Deepnagar, District.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Advocate

For the Opposite Party/s : Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 22-05-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. Petitioner seeks regular bail in connection with
Bihar P.S. Case No. 894 of 2022 dated 19.11.2022 registered
for the offences punishable under Sections 341, 323, 387/34 of
the Indian Penal Code.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has been
languishing in jail since 20.11.2022 and he has fair and clean
antecedent, though as per allegation he was apprehended at the
spot but no incriminating material was recovered from his
possession and petitioner has been roped in this case due to
enmity and against him the investigation has been completed
and alleged offences are triable by the Court of Magistrate.



4. Learned APP appearing for the State opposes the bail prayer.

5. Heard both the sides and perused the FIR. Though, the allegation appearing against this petitioner is serious in nature but considering the petitioner's fair and clean antecedent as mentioned in the petition and his custody period and also the facts that the alleged offences are triable by the Court of Magistrate and against the petitioner the investigation has been completed, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, **let the petitioner be released on bail, after framing of charge, if the same has not been framed**, in connection with Bihar P.S. Case No. 894 of 2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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