

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37813 of 2023

Arising Out of PS. Case No.-329 Year-2019 Thana- BHAGWANPUR District- Vaishali

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MUKESH KUMAR S/O JAGANNATH SINGH R/O Village- Hidayatpur
(Chakhaji Nizam), PS. Mahua, Dist. Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Adv. Mr. Pranav Kumar Jha
For the Opposite Party/s	:	Mr. Arvind Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 21-06-2023 Heard the parties.

Petitioner renews his prayer for regular bail in connection with S. Tr. No. 117 / 2021 arising out of Bhagwanpur PS Case No. 329 / 2019 dated- 09/12/2019 registered under Section 392 of the IPC inasmuch earlier bail application of the petitioner was rejected vide Cr. Misc. No. 54016 / 2021 by order dated 13.05.2022 granting him liberty to renew his prayer for bail after six months if the trial does not show any progress.

The allegation as per the First Information Report is that three unknown persons entered into Uttar Bihar Gramin Bank, Prataptand Branch and looted a sum of Rs. 1,78,176/- on gun point.

Learned counsel for the petitioner submits that the pe-



petitioner is not named in the First Information Report and the name of the petitioner has transpired on the basis of confessional statement of the co-accused / Manish Kumar and no incriminating material and / or looted property has been recovered from the conscious possession of the petitioner. He further submits that petitioner has not been put on Test Identification Parade and the petitioner is in custody since 14.02.2020. He further submits that similarly situated co-accused / Guddu Kumar has been granted privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 23377 of 2022.

Regard being had to the submission made by the parties, taking into consideration the fact that this is second attempt for grant of bail on behalf of the petitioner and similarly situated co-accused / Guddu Kumar has been extended the privilege of bail by a Co-ordinate Bench of this Court, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 20000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-XI, Vaishali at Hajipur in connection with S. Tr. No. 117 / 2021 arising out of Bhagwanpur P.S. Case No. 329 / 2019 on the con-



dition that the petitioner shall remain physically present on each and every date during the course of trial and in case of default on two consecutive dates, his bail bond shall liable to be cancelled.

(Anil Kumar Sinha, J)

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