

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62451 of 2022

Arising Out of PS. Case No.-228 Year-2019 Thana- BELA District- Sitamarhi

=====

MUKESH KUMAR S/O Rajnandan Ray @ Ramnandan Roy R/o Village-
Bhawanipur, P.S- Parihar, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Adv

For the Opposite Party/s : Mr. Shantanu Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and learned APP for
the State.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Bela P.S. Case No. 228 of 2019 registered under Section 392 of the Indian Penal Code.

It is the prosecution case that six miscreants on three motorcycles, who had their faces covered, dashed against the informant and looted his bag containing cash, some other important documents, ATM etc. on pistol point.

It is submitted by learned counsel for the petitioner that as per FIR, the petitioner is not a named accused. The petitioner is in custody since 30.07.2022 only on the basis of confessional statement



of co-accused. It is submitted that similarly situated co-accused have been allowed bail in Cr. Misc. No. 27934 of 2020. Investigation is complete. In all the three cases pending against him, he is on bail, as per disclosure made in para 3 of the bail application.

Learned APP has opposed the prayer for bail.

Considering the rival submissions, claim based on parity and period of custody, as also the fact that investigation is complete, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel.

Prayer for bail of 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 S.D.J.M. Sadar, Sitamarhi in Bela P.S. Case No. 228 of 2019, 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.

(Madhuresh Prasad, J)

SUMIT/-

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

