

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66884 of 2023

Arising Out of PS. Case No.-228 Year-2022 Thana- KUDHNI District- Muzaffarpur

Md. Mokim @ Dharmendra S/O Md. Naim R/O Mohammadpur Mubarak,
P.S- Maniyari, Distt.-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Adv.

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 16-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kudhani P.S. Case No. 228 of 2022 dated 08.05.2022, lodged
under Section 395 of the I.P.C.

3. As per the prosecution case, the F.I.R. has been
lodged against one named and four unnamed accused persons.

4. Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. Counsel submits that the
name of the petitioner has figured in this case by virtue of the
confessional statement of the named co-accused person to
whom, this Court has granted bail by the Co-ordinate Bench
vide order dated 11.01.2023 passed in Cr. Misc. No. 46329 of
2022.

5. Learned counsel for the petitioner further submits that nothing incriminating has been recovered from the conscious possession of the petitioner nor he was put on T.I.P. Counsel further submits that the petitioner is in custody since 03.06.2023 having criminal antecedents in which he is on bail.

6. Learned counsel for the State opposes the prayer for bail.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned 20th Additional District & Sessions Judge, Muzaffarpur in connection with Kudhani P.S. Case No. 228 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail

bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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