

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65187 of 2022

Arising Out of PS. Case No.-541 Year-2022 Thana- SHEKHPURA District- Sheikhpura

MAHESH KUMAR SON OF SUDHIR MAHTO R/O VILL./MOHALLA-
MAKDUMPUR, P.S.- SHEIKHPURA, DISTT.- SHEIKHPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar

For the Opposite Party/s : Mr. J.N. Thakur, APP

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

ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Sheikhpura P.S. Case No. 541 of 2022, registered for the offences punishable under Section 379/414 of the Indian Penal Code.

According to prosecution case the petitioner is a member of gang in which committed theft.

The learned counsel for the petitioner has submitted that except confessional statement of co-accused Subhash Kumar there is nothing against the petitioner. He is a person of clean antecedent. Co-accused Biru Kumar and Mithlesh Kumar have been granted bail by the coordinate bench in Cr. Misc. No. 71455 of 2022 and Cr. Misc. No. 63311 of 2022 and is case is on similar footing. He



is under custody since 10.09.2022.

On the other hand, the learned APP Shri J.N. Thakur has opposed the prayer for bail as to fairly constituted that the other co-accused persons have been granted bail.

Considering the clean antecedents as well as the period of detention, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura P.S. Case No. 541 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner 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)

Sudha/Mahesh

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