

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72978 of 2023

Arising Out of PS. Case No.-44 Year-2023 Thana- LALIT NARAYAN UNIVERSITY
District- Darbhanga

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BALIRAM MUKHIYA Son of Murari Mukhiya Resident of village -
Pipraouliya, P.S.- Rosra, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Lalan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
L.N.M.U. P.S. No. 44 of 2023 registered for the offence
punishable under Sections 414, 467 and 468/34 of the IPC

3. As per prosecution case, petitioner and other are
said to have apprehended from stolen scorio vehicle in
question.

4.Learned counsel for the petitioner submits that
petitioner is in custody since 14.02.2023 and bears no criminal
antecedent. Petitioner is quite innocent and has committed no
offence as alleged in the FIR. Except suspicion, there is nothing
on record to demonstrate the complicity of petitioner with the



alleged occurrence. He further submits that co-accused, Sonu Kumar, has already been granted bail vide Cr. Misc. No. 58949 of 2023 by a co-ordinate Bench of this Court and the case of present petitioner stands on similar footing.

5. The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case as well as period of custody, keeping in view clean antecedent of the petitioner, co-accused on similar and identical allegation has already been granted bail, argument advanced on behalf of the parties and also taking into consideration the material available on record,, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Darbhanga or other transferee court in connection with L.N.M.U. P.S. No. 44 of 2023,subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates



without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

vashudha/-

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