

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69721 of 2022

Arising Out of PS. Case No.-550 Year-2022 Thana- SHASTRINAGAR District- Patna

=====

MUKESH KUMAR SON OF MAHENDRA RAI RESIDENT OF
VILLAGE- GOPALPUR, P.S.- TARARI, DISTRICT- BHOJPUR, BIHAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Satyendra Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 02-05-2023 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Shastri
Nagar P.S. Case No. 550 of 2022 dated 31.08.2022 registered for
the offence under Sections 341, 342, 323, 307, 504, 506 and 34 of
the Indian Penal Code.

The son of the is alleged to have been assaulted by the
petitioner and his inmates and pushed to lift hole due to which he
sustained injuries.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that
the allegation, as alleged in the F.IR, is false and fabricated as no
such occurrence has taken place. He further submits that the



petitioner has not committed any offence as alleged in the F.I.R. He further submits that there is no eye witness to the alleged occurrence even the informant does not claim to be eye witness of the alleged occurrence. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 03.09.2022.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna in connection with Shastri Nagar P.S. Case No. 550 of 2022 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.



And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

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

