

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74713 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- KURTHA District- Jehanabad

Mukesh Kumar @ Mukesh Yadav, Son Of Shakaldev Yadav, Resident Of
Mohalla - Sangat Per, P.S. And District - Jehanabad

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 29-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
S.T. No.611/2023 (in Kurtha P.S. Case No.55/2023), lodged on
25.02.2023 under Sections 395 of the Indian Penal Code and
Section 27 of the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against six unknown persons with an allegation of
committing loot of Rs.5,50,000/- from the shop of the
informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Neither
any incriminating article has been recovered from the
possession of the petitioner nor, he has been put on Test



Identification Parade. Apart from the present case, the petitioner is accused in one more criminal case, but in that case, he is on bail and he is in custody since 24.05.2023. Moreover, the charge has already been framed and no purpose shall be served in keeping the petitioner in custody.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the impugned order it is very much clear that the petitioner was identified in the CCTV footage and on that basis, he has been apprehended. The petitioner has also confessed his guilt, as stated in paragraph no.209 of the case diary.

6. 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) with two sureties of the like amount each to the satisfaction of learned ADJ-VIII, Jehanabad in connection with S.T. No.611/2023 (in Kurtha P.S. Case No.55/2023), subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the 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.

(Dr. Anshuman, J)

Ashwini/-

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

