

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71745 of 2022

Arising Out of PS. Case No.-1067 Year-2021 Thana- HAJIPUR SADAR District- Vaishali

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MUKESH SINGH @ MUKESH KUMAR S/O Sri Jagannath Singh R/O
Village- Hidayatpur, P.S-Mahua, District- Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha, Adv.
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 188, 414 of the Indian Penal
Code and Section 52 of Prisons Act.

According to prosecution case, on surprise checking,
one mobile phone has been recovered from the possession of the
petitioner in Jail Ward No.7/1.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that on the surprise inspection
one mobile phone has been recovered from the possession of the
petitioner and the petitioner has been remanded in the present
case on 20.12.2021 and the police after investigation submitted



the charge sheet against the petitioner. The petitioner is in custody since 20.12.2021.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries eight criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Hajipur P.S. Case No. 1067/2021, corresponding to G.R. No. 3944 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

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