

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5697 of 2023

Arising Out of PS. Case No.-167 Year-2022 Thana- BIRAUL District- Darbhanga

GANGA RAM MUKHIYA @ GANGA MUKHIYA Son of Late Mannelal
Mukhiya R/v- Sisauna, P.S.- Kusheshwar Asthan, District- Darbhanga

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur
		Ms.Vaishnavi Singh
For the Opposite Party/s :		Mr.Anil Kumar

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

ORAL ORDER

2 29-04-2023 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 Sessions Trial No. 415 of 2022 arising out of Biraul P.S. Case No. 167 of 2022, registered for the offences punishable under Sections 413, 414, 212 of the IPC.

As per allegation, the police raided the house of co-accused Sahnawaz Alam @ Sonu. Though he was not found in his house but a lady, who attempted to flee away, was apprehended by the police and approximately one lakh rupee was recovered from her possession. She disclosed her name as Firdaus @ Afroji and apprised that that her son Sahnawaz Alam @ Sonu has given that money to her, after committing loot in the branch of Punjab National Bank.

The learned counsel for the petitioner has submitted



that petitioner is not named in the FIR. Co-accused Firdaus @ Afroji, from whose possession, the money was recovered, has been granted bail. During investigation, the only material emerged against the petitioner that other co-accused persons have stated that they were planning in the house of the petitioner to commit *dacaiti*. The petitioner is under custody since 13.07.2022.

Considering the above-mentioned facts and circumstances as well as the period of custody, 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 1st Additional Sessions Judge, Benipur, Darbhanga in connection with Sessions Trial No. 415 of 2022 arising out of Biraul P.S. Case No. 167 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (iii) 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.

(iv) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial till framing of the charges. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Nawneet Kumar Pandey, J)

Kundan/Nirmal

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

