

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78131 of 2023

Arising Out of PS. Case No.-333 Year-2023 Thana- JAKKANPUR District- Patna

Mukesh Kumar @ Mukku S/O Ram Lakhan Prasad R/O Jirtamoli, Machhartta
Gali, P.S- Khajekalan, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 06-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 382 and 34 of the Indian Penal Code.

3. As per prosecution case, some unknown miscreants knocked the door of the informant and on pistol point, asked about Rajesh. It is further alleged that miscreants assaulted the informant and his room-mate and taken away the informant's Govt. pistol and 14 round bullets.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. The petitioner is not named in FIR rather his name came into light in this case on the basis



of confessional statement of other co-accused person before the police which has got no evidentiary value in the eye of law. No any recovery has been made from this petitioner rather the recovery has been made from other co-accused person. The petitioner has not been put on TIP as yet. Similarly situated other co-accused persons have already been granted bail by this Court vide order dated 12.10.2023 in Cr. Misc. No. 65158 of 2023. Moreover, the petitioner is languishing in judicial custody since 07.06.2023.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Jakkanpur P.S. Case No. 333 of 2023 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-VIIIth, Patna.

(Sunil Kumar Panwar, J)

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