

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7713 of 2024

Arising Out of PS. Case No.-1072 Year-2023 Thana- TURKAULIYA District- East
Champaran

Arbind Kumar Mukhiya S/O Pramod Mukhiya Village- Dharmnagar, Ps.
Simraungard, Dist. Bara (Nepal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Turkauliya P.S. Case No.1072 of 2023, lodged on 14.10.2023,
under Sections 414/420/467/468/469/471/34 of the Indian Penal
Code.

3. As per the prosecution, the FIR has been lodged
against two named accused persons, who were apprehended by
the police, from their possession a motorcycle was recovered.
In this regard documents were produced but that documents
were forged.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The



petitioner is in custody since 15.10.2023 having no criminal antecedent. Counsel submits that from the contents of the FIR it transpires that query of the police has been submitted by other co-accused Chalitar Mukhiya, he is appears to be a person who was with the motorcycle with Chalitar Mukhiya. Charge sheet has already been submitted in this case.

5. Learned counsel for the State opposes the prayer for bail.

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 Chief Judicial Magistrate, Motihari, East Champaran, in connection with Turkauliya P.S. Case No.1072 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other 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)

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