

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 8494 of 2024

Arising Out of PS. Case No.-30 Year-2020 Thana- DANAPUR District- Patna

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Mukesh Kumar @ Mukubaba @ Rajesh @ Rakesh (Male) aged about 57 years, Son Of Ramanuj Prasad @ Anuj Prasad Chandravanshi, Resident Of Village/Mohalla- Bhikhna Pahari, Kachori Gali, Saidpur, P.S.-Kadamkuan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

3 01-03-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner is in custody in connection with Danapur P.S. Case No. 30 of 2020 registered for an offence punishable under Sections 363, 365, 302, 201 and 120(B)/34 of the Indian Penal Code.

3. The prosecution case is that the brother of the informant went to Saguna by bike after some time his mobile phone went off and since then he was missing with his bike.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case due to local party politic and the petitioner is not named in the FIR. He next



submits that nothing incriminating article has been recovered from the possession of the petitioner. He next submits that similarly situated co-accused persons have already been granted bail by Co-ordinate Benches of this Court passed in Cr. Mis. Nos. 9156 of 2021, 26145 of 2021, 9156 of 2021 and Cr. Misc. No.26145 of 2021 respectively. Petitioner is in custody since 27.08.2020.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In view of the above facts, let the above named petitioner 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 learned Additional Sessions Judge-I, Danapur, Patna in connection with Sessions Trial No.1213 of 2022 arising out of Danapur P.S. Case No. 30 of 2020 with following conditions:-

(i) One of the bailors will be own close relative of the petitioner who will give an affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(ii) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in



any other case of similar nature after his release in the present case and thereafter the court below ill be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(iii) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bonds shall be liable to be cancelled by the learned court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already occluded and make himself available and when so required and in case of failure, the Stte shall be at liberty to move for cancellation of bail.

(v) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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