

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29729 of 2024

Arising Out of PS. Case No.-511 Year-2023 Thana- ATRI District- Gaya

Mukesh Kumar S/O Late Sadhu Sharan Yadav R/O - Vill - Tetua, Bidarpur,
P.S - Atri, Distt - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan

For the Opposite Party/s : Mr.Vinod Shanker Modi

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 22-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Atri P.S.
Case No. 511 of 2023 instituted for the offences punishable
under Sections 341, 323, 307, 504, 506, 325, 379 and 34 of the
Indian Penal Code.

3. The allegation against the petitioner along with
others is of assaulting the informant and her family members,
due to which they sustained injury.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Charge-sheet has been submitted in this case. He submitted that
there is general and omnibus allegation against the petitioner



rather the specific allegation of assaulting is against co-accused Rahul Kumar @ Billa, Prakash Yadav and Mohi Yadav. There is no specific overt act of assaulting against the petitioner. There is a case and counter case between the parties. Members of both parties have sustained injury as alleged in a separate occurrence. The petitioner is in custody since 27.11.2023 and he has five criminal antecedents in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, no specific allegation against the petitioner as well as the period of custody undergone by him, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Atri P.S. Case No. 511 of 2023, Subject to following conditions:

(i) One of the bailors shall be own/close member of the family of the petitioner.

(ii) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two



consecutive dates, the trial Court will have liberty to cancel the
bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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