

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33000 of 2025**

Arising Out of PS. Case No.-41 Year-2024 Thana- MAHILA P.S. District- Muzaffarpur

Mukesh Kumar Yadav @ Mukesh Kumar S/o- Bhulawan Rai @ Bhupendra Rai @ Bhulawal Rai @ Bhupendra Ray R/O Village- Anant Karja P.S.- Karja District-Muzaffarpur, Bihar-843113

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pallavi Kumari D/o- Sanjay Kumar Singh R/o- Mauza- Gamasra Ps- Karja Dist- Muzaffarpur

... .. Opposite Party/s

**Appearance :**

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|--------------------------|---|----------------------------|
| For the Petitioner/s     | : | Mr. Kumar Shanu, Advocate  |
| For the Opposite Party/s | : | Mr. Rajendra Nath Jha, APP |

**CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH**  
**ORAL ORDER**

2      20-06-2025                      Heard Mr. Kumar Shanu, learned counsel for the  
Petitioner and Mr. Rajendra Nath Jha, learned APP for the State.

2. Petitioner seeks regular bail in connection with Mahila P.S. Case No. 41 of 2024 dated 05.06.2024 registered for the offences punishable under Sections 341, 323, 384, 385, 419, 420, 504, 506 and 509 of the Indian Penal Code and Sections 66(A), 66(C) and 66(D) of the I.T. Act.

3. The main submissions advanced by petitioner's counsel are that this is the second attempt of the petitioner to get the relief of bail and his earlier prayer was rejected by this Bench vide order dated 20.11.2024 passed in Cr. Misc. No. 65332 of 2024 and the fresh ground taken by the petitioner to



get the same relief is the liberty granted by this Bench in the earlier rejection order. It is further submitted that the so-called victim has recorded her evidence before the trial court and in this regard, petitioner has made his specific statement in the petition also and another fresh ground is petitioner's custody period which has been about twelve months. It is lastly submitted that out of seven chargesheet witnesses, only two witness have been examined so far and there is less chance of early conclusion of the petitioner's trial in near future.

4. Learned APP for the State has opposed the prayer for bail of the petitioner.

5. Heard both the sides and perused the relevant materials. Though there is serious allegation against this petitioner but considering his present custody period as well as the development as to the examination of the most important witness of the prosecution before the trial court, so, the release of the petitioner will not adversely affect the prosecution and other main evidences of the prosecution relate to the electronic evidences, in my opinion, in the said circumstances, the petitioner now deserves to the relief of bail. Accordingly, let the petitioner named-above be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two



sureties of the like amount each to the satisfaction of the concerned Court in connection with Mahila P.S. Case No. 41 of 2024 on the following conditions:-

(i) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the trial Court and shall remain physically present as and when directed by the trial Court and failing which, in case of his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the trial Court.

(ii) If the petitioner tampers with the evidence or influences the witnesses, in that case, the prosecution will be at liberty to move for cancellation of his bail.

(iii) One of the bailors shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

**(Shailendra Singh, J)**

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