

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41571 of 2025

Arising Out of PS. Case No.-649 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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Mukesh Kushwaha @ Mukesh Bhagat @ Mukesh Kumar Kushwaha S/O
Late Ganesh Bhagat Kushwaha Resident of Village- Banjari, P.S- Gopalganj,
Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Advocate
For the Opposite Party/s : Mr.Binod Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Gopalganj Town P.S. Case No. 649 of 2018 registered on 03.11.2018 for the offences under Sections 420, 467, 468, 471 and 120(B) of the Indian Penal Code.

3. As per prosecution case, co-accused persons acting in a conspiracy instituted false civil cases and got a decree on the basis of fraudulent papers. The name of the petitioner surfaced in this case during investigation for also being involved in the said occurrence.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. No occurrence as alleged has ever taken place. Nothing incriminating has been recovered from the person or possession of this petitioner. Main allegation is against co-accused Radhika Devi and her husband and Gangadeyal Yadav and Yogendra Pandit and they have been granted bail by different Co-ordinate Benches of this Court vide order dated 13.04.2023 passed in Cr. Misc. No. 14438 of 2023, order dated 22.02.2019 passed in Cr. Misc. No. 8844 of 2019, order dated 22.02.2024 passed in Cr. Misc. No. 7668 of 2024, order dated 05.03.2024 passed in Cr. Misc. No. 80623 of 2023 and order dated 20.09.2024 passed in Cr. Misc. No. 38815 of 2024. The petitioner never impersonated any person and he was never involved in the civil litigation as alleged by the informant. Though the petitioner is having antecedent of three cases, he is on bail in all the cases. Petitioner is in custody since 02.03.2024 and charge-sheet has been submitted.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner as well as submission of charge-sheet, the petitioner above named is directed to be



released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Gopalganj/concerned court in connection with Gopalganj Town P.S. Case No. 649 of 2018, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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