

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61843 of 2025

Arising Out of PS. Case No.-262 Year-2023 Thana- MADHEPUR District- Madhubani

Sushil Mukhiya @ Shushil Kumar Mukhiya S/O Shankar Mukhiya @ Sankar
Mukhiya R/O Village- Bath, P.S- Madhepur, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Adv.

For the Opposite Party/s : Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-08-2025 Heard the learned Advocate for the petitioner and the
learned APP for the State.

2. This is the second attempt made on behalf of the petitioner, as earlier the prayer for bail of the petitioner came to be negated by this Court in Cr. Misc. No. 74810 of 2024 vide order dated 28.01.2025.

3. The petitioner seeks regular bail, who is in custody in connection with Madhepur P.S. Case No. 262 of 2023, registered for the offence punishable under Sections 341, 307 and 120(B) of the Indian Penal Code and Section 27 of the Arms Act. Later on Section 302 of the Indian Penal Code was added.

4. Learned Advocate for the petitioner submitted that while negating the prayer for bail of the petitioner, liberty was accorded to the petitioner to renew his prayer for bail after



framing of the charge. Referring to Annexure-P/3 to the application, it is submitted that now the charges have already been framed against the petitioner and he undertakes that he will fully co-operate in the trial.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner bears three criminal antecedent and there is specific accusation against him.

6. Having regard to the submissions set-forth by the learned Advocate for the respective parties and taking note of the observation made by this Court, as also the fact that the charges have already been framed, besides the undertaking of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-I, Jhanjharpur, District-Madhubani in connection with Madhepur P.S. Case No. 262 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of



trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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