

IN THE COURT OF 1ST, ADDITIONAL DISTRICT & SESSIONS JUDGE,
PATNA CITY, PATNA.

B.P. No. 1726/2022.
(Agamkaun P.S.case No.35/2020)

Mukul Kumar Versus The State of Bihar.

O R D E R

27.02.2023 Heard Sri Manoj Kumar, learned counsel for the petitioner and Sri Faizul Hoda, learned Addl.P.P. for the State.

Petitioner namely Mukul Kumar, is in custody since 17.11.2022 in connection with Agamkuan P.S. case no.35/2020, registered for the offences U/S 394 I.P.C. and 27 Arms act, pending in the court of Sri Vivek Kumar, J.M., 1st, Class, Patna city.

The allegation against the petitioner is that he along with other co-accused persons abused and assaulted the informant with intention to kill him. They snatched the mobile phone and cash Rs. 4500/- from the informant.

It is submitted on behalf of the learned counsel for the petitioner that he is quite innocent and has committed no offence. Entire allegation against the petitioner is totally false. Petitioner has been falsely and wrongly implicated in this case. In this case charge sheet has already been submitted against the petitioner along with other co-accused persons. Petitioner is in custody since 17.11.2022. It is further submitted that the petitioner has got no criminal antecedent and there is no chance of petitioner absconding or tampering with the evidence if, the bail is granted. Hence the learned counsel of the petitioner prayed for grant of bail.

The learned Addl.P.P. has vehemently opposed the prayer for bail of the petitioner.

L.C.R. has already been received.

From perusal of the case record as well as case diary it appears that the case has been registered U/S 394 I.P.C. and 27 Arms Act against unknown four accused persons on the basis of written report of informant. In this case charge sheet has already been submitted against the petitioner. The name of the petitioner came in this case on the basis of confessional statement of co-accused.

Considering the aforesaid fact that the petitioner has got no criminal antecedent. Petitioner is not named in the F.I.R. No T.I.P. was conducted in this case by the I.O. Petitioner is in custody since 17.11.2022. As such this court is inclined to enlarge the petitioner on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of like amount each to the satisfaction of the learned court below.

(Dictated)

1st, Addl. Sessions Judge, Patna city.