

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5145 of 2015

Arising Out of PS.Case No. -434 Year- 2014 Thana -KANTI District- MUZAFFARPUR

1. Rakesh Kumar @ Rakesh Sahni Son of Ram Vilash Sahani Resident of
vill-Sikandarpur Kundal,P.S-Town,Distt.-Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Ram Anurag Singh (App)

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-03-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Kanti P.S.
Case No. 434 of 2014 registered for the offences punishable under
Sections 399, 402, 414, 120B of the Indian Penal Code and
Sections 25(1-B)A, 26 and 35 of the Arms Act.

Allegedly, acting on a tip off that some criminals are
planning to loot the patrol pump of Kunwarjee and criminals have
assembled near Mahaveer Chauk, the Police raided and saw 7
persons talking among themselves and seeing the Police Party,
they started fleeing away but four were caught and on search, from
possession of petitioner, one loaded country made katta and one
mobile phone were recovered. Similarly from other apprehended

accused also recovery was made as per the seizure list.

Submission is that the petitioner is suffering in custody since 27.8.2014 and he has sufficiently been penalized. Other co-accused persons have been allowed bail by another Bench of this Court and as such the petitioner deserves sympathetic consideration to which the learned APP opposes by submitting that the petitioner has criminal antecedent also.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. (West), Muzaffarpur in connection with Kanti P.S. Case No. 434 of 2014, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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