

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8847 of 2015

Arising Out of PS.Case No. -207 Year- 2014 Thana -GORICHAK District- PATNA

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Subodh Kumar S/o late Shyam Sunder Rai Resident of village + P.S.
Parwalpur, District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Anil Kumar Singh 1(App)

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

2 10-04-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 399/402 of the I.P.C and sections 25 (1-
b) A, 26 and 35 of the Arms Act.

Allegedly acting on a tip off raid was conducted and
the petitioner and other co-accused were apprehended and from
possession of the petitioner one loaded country made Katta, one
live cartridge and one mobile were recovered and the petitioner is
in custody since 10.08.2014.

Submission is of false implication and that the
petitioner by remaining in custody has been sufficiently penalized.
Similarly situated co-accused Rajmani Yadav has been allowed

bail by another Bench of this Court vide Cr. Misc. No. 7136 of 2015 by order dated 20.02.2015 and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. is not in a position to distinguish the case of the petitioner.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Patna City in Gaurichak P.S. Case No. 207 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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