

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50023 of 2015

Arising Out of PS.Case No. -84 Year- 2015 Thana -JOKIHAT District- ARARIA

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1. Dhirendra Sah S/o Mahendra Sah, Resident of village - Chakai, P.S. - Jokihat, District - Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Madhu Prasun

For the Opposite Party/s : Mr. Abhay Kr.Roy(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-12-2015 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Jokihat P.S. Case No. 84 of 2015 registered for the offences punishable under Sections 353, 307/34 of the Indian Penal Code and Sections 25(1-B)a/26/27/35 of the Arms Act.

Allegedly acting on a tip off that the accused persons are planning to commit serious offence, a raid was conducted but the accused persons opened firing and hide themselves in the maize field. The petitioner was apprehended and from his possession, one live cartridge and Karbon mobile were recovered.

Submission is of false implication and that no injury was caused to any police personnel and the petitioner is in custody

since 03.04.2015, co-accused Pappu Vishwas, from whose possession looted country made pistol has been recovered, has already been allowed bail by another co-ordinate Bench of this Court.

The learned A.P.P. is not in a position to distinguish the case of the petitioner to that of co-accused.

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 C.J.M., Araria arising out of Jokihat P.S. Case No. 84 of 2015 subject to the conditions that one of the bailors must be 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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