

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42820 of 2014

Arising Out of PS.Case No. -8 Year- 2013 Thana -BELHAR District- BANKA

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Dilip Das @ Rakesh Da @ Rakesh Das, Son of Doman Das @ Rajendra Das, Resident of Village - Dokli, P.S.- Soni, District - Jamui

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar, Advocate

For the Opposite Party/s : Mr. R.N.Jha(App)

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CORAM: HONOURABLE MR. JUSTICE AMARESH KUMAR LAL
ORAL ORDER

3 28-01-2015 Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner is in custody in a case registered for the offence punishable under Sections 121, 121 (A), 122, 120B of the Indian Penal Code, Sections 25 (1-b)A, 26, 29 of the Arms Act, Sections 38, 39 of the U.A.P. Act and Section 17 of C.L.A. Act.

The allegation against the petitioner is that during raid, an automatic pistol loaded with two live 09 MM cartridges in its magazine was recovered from the possession of the petitioner. In course of verification of his identity, he was found to be an active member of banned Naxali association.

It is submitted that the petitioner was remanded in this case on 16.01.2013.

A report was called for from the trial court which has been received vide letter no.37 dated 23.12.2014 mentioning

therein that the petitioner is in Jamui jail and several letters have been sent there for the production of the accused, but up-till-now, he has not been produced.

Considering the facts and circumstances of the case, let the above-named petitioner be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge, 5th, Banka in Sessions Trial No.319/2013 arising out of Belhar P.S. Case No.08/2013, **if he is not required in any other case**, with the following conditions :

1. One of the bailors will be the close relative of the petitioner.
2. The petitioner will not indulge in similar or in any other offence.
3. The petitioner will be well represented in the court.
4. In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Amaresh Kumar Lal, J)

V.K. Pandey/-

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