

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10532 of 2015

Arising Out of PS.Case No. -325 Year- 2014 Thana -SHERGHATI District- GAYA

=====

1. Uttam Kumar Son of Binay Prasad

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Paras Nath

For the Opposite Party/s : Dr. Kumar Uday Pratap(App)

=====

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 13-03-2015 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

There is nothing in the first information report to show that petitioner and others had assembled to make preparation for committing dacoity and, therefore, the application of Section 399 read with 402 of the Indian Penal Code appears to be doubtful and so far as recovery of motorcycle is concerned, the same has not been recovered from conscious possession of the petitioner. Similarly, one live cartridge is said to have been recovered from conscious possession of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sub

Divisional Judicial Magistrate, Sherghati, Gaya in connection with
Sherghati P.S. Case No. 325 of 2014.



(Hemant Kumar Srivastava, J)