

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50497 of 2015

Arising Out of PS.Case No. -152 Year- 2015 Thana -DARBHANGA SADAR District-
DARBHANGA

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1. Rahul Kumar @ Laltun Son of Late Ramdeo Mahto resident of village -
Saidpur, Police Station Kazi Mohammadpur, District - Muzaffarpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Pradeep Nr.Kumar(App)

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

2 21-12-2015 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Darbhanga
Sadar (Mabbi O.P.) P.S. Case No. 152 of 2015 registered for the
offences punishable under Sections 399/402 of the Indian Penal
Code and Section 25(1-b) a/26/35 of the Arms Act.

The petitioner was caught along with others when they
had assembled to make preparation for committing dacoity and
after search, one country made loaded katta and one other live
cartridge were recovered from possession of the petitioner.

Submission is of false implication and that nothing was
recovered from his conscious possession and he has been

implicated due to police atrocity. Other co-accused have been allowed bail by different Benches of this Court and, as such, the petitioner also deserves sympathetic consideration as he is suffering in custody since 16.04.2015

The learned A.P.P. fairly submits that other co-accused have been allowed bail.

In the facts and circumstances stated above, the petitioner is also 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., Darbhanga arising out of Darbhanga Sadar (Mabbi O.P.) P.S. Case No. 152 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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