

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49626 of 2015

Arising Out of PS.Case No. -94 Year- 2012 Thana -MOKAMAH District- PATNA

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1. Shyam Kishore @ Shyam Kumar Singh @ Shyam Kishore Singh son of late Ram Bilash Singh Resident of Village- Bihari Bigha, Police Station Pandarak, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr. M.Dayal(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-11-2015

Petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 399, 402, 120B of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act.

The prosecution case is that seven persons were arrested from a Bolero vehicle when they were planning to commit dacoity in a temple. From the possession of the accused persons arms and other articles were recovered when they confessed that they were planning to commit dacoity at the behest of the petitioner and others.

It is submitted by learned counsel for the petitioner that even assuming the accusation, no offence under the aforesaid act is made out against the petitioner and except confession, there is nothing on record to suggest the complicity of the petitioner. It is further submitted that investigation is

still pending.

A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Considering the aforesaid facts, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of 12 weeks from today, be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Mokama P.S. Case No. 94 of 2012, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The bail bonds of the petitioner will be accepted on filing affidavit to the effect that petitioner will cooperate in the investigation. The said affidavit will be transmitted by learned Court below to the concerned I.O. Non-cooperation in the investigation will give liberty to the prosecution to file appropriate application for cancellation of bail of the petitioner.

(Dinesh Kumar Singh, J)

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