

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9148 of 2016

Arising Out of PS.Case No. -2 Year- 2016 Thana -BHELDI District- SARAN

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1. Brajesh Kumar Singh son of Harendra Singh, resident of Mohalla-
Dahiyawan Tola, Saran Academy School North of Railway Line, P.S.-
Chapra Mufasil, District- Saran

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Madhaw Prasad Yadaw

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

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

3 25-04-2016 Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 399, 402, 413 and 414 of the I.P.C and
sections 25 (1-b) a, 26 and 35 of the Arms Act.

Allegedly, the petitioner and other co-accused were
apprehended when they have assembled to commit dacoity in the
Bank but from possession of the petitioner no fire arm was
recovered, whereas, one loaded pistol was recovered from
possession of other co-accused, namely, Dharmendra Kumar.

Submission is of false implication and that the
petitioner has got only one more case bearing Chapra Mufassil

P.S. Case No. 93 of 2013 registered under sections 420 and 379 of the I.P.C wherein he is on bail, it is not probable that a person would go to commit dacoity without having any weapon, similarly situated another co-accused, namely, Monu Singh @ Abhimanyu Singh @ Abhimasnyu Kumar has already been allowed bail vide Cr. Misc. No. 10354 of 2016 by another coordinate Bench of this Court and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. does not dispute.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Amrendra Prasad, J.M. 1st Class, Saran at Chapra in Bheldi P.S. Case No. 02 of 2016, subject to the conditions that one of the bailors must be a 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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