

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13788 of 2016

Arising Out of PS.Case No. -563 Year- 2015 Thana -BAHERA District- DARBHANGA

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BASANT BAHADUR, SON OF RANG BAHADUR, RESIDENT OF
VILLAGE- KALIKOT SHIP KHANA, POLICE STATION MAN
MAKHRA CHAKRA, DISTRICT KALIKOT(NEPAL)

.... PETITIONER/S

VERSUS

THE STATE OF BIHAR

.... OPPOSITE PARTY/S

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Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Jha, Advocate.

For the Opposite Party/s : Mr. Rajeev Nayan (APP)

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**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**
ORAL ORDER

2 25-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with Bahera
P.S. Case No. 563 of 2015 registered under Sections 399, 402 and
414 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the
Arms Act.

The accusation is that in course of investigation of
Bahera P.S. Case Nos. 555 of 2015 and 507 of 2015, the police on
receiving information about gathering of some miscreants near
railway crossing in village Dherukh for preparation to commit
Dacoity reached there where three persons Jeevan Sundar, Jagat
Bahadur and petitioner were apprehended, who also disclosed the
name of three other associates, who succeeded to flee away. On

search, one country made loaded pistol along with alive cartridge was recovered from possession of co-accused, Jeevan Sundar, whereas petitioner was found in possession of one mobile set of Samsung Company and Jagat Bahadur was found in possession of purse containing Rs.500/- of Nepali currency.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case mere on suspicion. It is further submitted that co-accused, Jeevan Sundar and Jagat Bahadur, have already been granted privilege of bail by a bench of this Court vide orders dated 08.04.2016 passed in Criminal Misc. Nos. 14664 of 2015 and 14740 of 2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Benipur, Darbhanga, in connection with Bahera P.S. Case No. 563 of 2015. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

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