

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22495 of 2016

Arising Out of PS.Case No. -248 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

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Kailash Thakur @ Prakash @ Netaji, son of Raman Thakur, resident of
Village & P.S.- Purnahiya, District- Sheohar

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar

For the Opposite Party/s : Mr. Smt. Renu Kumari (App)

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

ORAL ORDER

2 24-05-2016

Heard the learned counsel for the petitioner as well

as the learned A.P.P for the State.

The petitioner seeks bail in connection with
Majorganj P.S. Case No. 248 of 2015 registered for the offences
punishable under Sections 25 (1-B)A, 26 and 35 of the Arms Act,
Section 4, 5 and 6 of the Explosive Substance Act, Section 17 of
C.L.A. Act and Section 17 and 18 of the U.P.A. Act.

Allegedly, during patrolling duty, three persons
including the petitioner were apprehended after chase and after
search from the possession of the petitioner, one country made
pistol whereon made in USA was written and other incriminating
articles and literatures were recovered besides mobile phone.

Submission is of false implication and that the
petitioner has been made victim of police atrocity, he has been

made accused in Purnahiya P. S. Case No. 38 of 2015 and also in this case, other co-accused Baldeo Sah, Laxmi Sahni and Vikas Rai @ Vikash Patel have already been allowed bail by another co-ordinate bench of this Court and the petitioner is suffering in custody since 26.09.2015.

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

In the facts and circumstances stated above, the petitioner, above named, is 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 Chief Judicial Magistrate, Sitamarhi in connection with Majorganj P.S. Case No. 248 of 2015, 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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