IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41126 of 2015

Arising Out of PS.Case No. -123 Year- 2011 Thana -PATAHI District- EASTCHAMPARAN(MOTIHARI)

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Jahir Madari @ Jahir Maadari son of Insan Madari, resident of Village- Dumari Baju, P.S.- Patahi, District- East Champaran at Motihari.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :
For the Petitioner : Mr. Umesh Chandra Verma, Advocate.
For the Opposite Party : Mr. C. Sen Pd. Singh (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

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5 08-03-2016 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 section 121 (k) of the I.P.C. 1860, Sections 25 (1-b)a, 26 and 35 of the Arms Act 1959, Section 17 of the Criminal Law Amendment Act 1908 and section 10/38 of the Unlawful Activities (Prevention) Act 1967.

Allegedly acting on a tip off that the veteran *Maobadies* have assembled in the house of Deonath Manjhi @ Sanjay Manjhi, the police raided that place and arrested some miscreants with arms and ammunitions and they stated the name of the petitioner and others who succeeded in fleeing away.

Submission is of false implication and that the petitioner was not caught at the spot, the persons who were

apprehended at the spot and had named the petitioner have already been allowed bail by different coordinate Benches of this Court and the petitioner is suffering in custody since 20.10.2014 only on the ground that he has got criminal antecedent, though nothing was recovered from possession of the petitioner.

The learned A.P.P. submits that the petitioner is involved in 22 more cases.

In the facts and circumstances as stated above, considering that other co-accused have been allowed bail and as such considering detention of the petitioner, now he is also 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 S.D.J.M. Sikrahana, East Champaran at Motihari in Patahi P.S. Case No. 123 of 2011, 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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