

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.58084 of 2015**

Arising Out of PS.Case No. -139 Year- 2015 Thana -UDAKISHANGANJ District- MADHEPURA

1. Rupesh Jha S/o Sri Nandan Jha Resident of Village - Khoraganj, P.S. -  
Udakishunganj, District - Madhepura... .... Petitioner

Versus

1. The State of Bihar ... .... Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Pankaj Kumar Jha

For the Opposite Party/s : Mr. V.S.Modi(App)

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

**ORAL ORDER**

3 22-02-2016

Heard learned counsel for the petitioner and learned  
counsel representing the State.

Petitioner seeks bail in connection with Udakishunganj  
P.S. Case No. 139 of 2015 registered for the offences punishable  
under Sections 394, 411 of the Indian Penal Code, Sections 25(1-  
B)A, 26/35 of the Arms Act.

Allegedly, when the miscreants after injuring a person  
was trying to flee away after seeing the Police personnel, out of  
them two including the petitioner were caught after chase and  
from possession of the petitioner one loaded country made pistol  
and cartridge of 0.315 bore were recovered and further the injured  
stated that the miscreants have snatched Rs. 28,000/- and one  
mobile which was thrown in the water.

Submission is of false implication and that no amount was  
recovered from possession of the petitioner, the petitioner has

been apprehended after showing wrong recovery of pistol, the petitioner has been made victim of circumstances, he has got no criminal antecedent and he is suffering in custody since 29.08.2015.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, considering the period of detention and further the petitioner has got no criminal antecedent, 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 S.D.J.M., Udakishunganj, Madhepura in connection with Udakishunganj P.S. Case No. 139 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)**

avin/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|