

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54633 of 2016

Arising Out of PS.Case No. -195 Year- 2016 Thana -BEGUSARAI TOWN District- BEGUSARAI

=====

Saroj Kumar Rai @ Bundela S/o Sudhir Prakash Rai @ Sudhir Prasad Rai
@ Sudhir Prakash R/o Village Sokahara P.S.-Fulwaria Dist. Begusarai.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Sri Ram Anurag Singh

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 23-12-2016 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

Petitioner is languishing in judicial custody since 23.04.2016 in connection with Begusarai Town P.S. Case No. 195 of 2016 registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code, 25(1-b)a, 26/35 of the Arms Act and 53(B), 54 of Bihar Excise Act.

The prosecution case as alleged by the police official is that during course of raid they apprehended as many as six persons including the petitioner and the petitioner was found possessing one pistol with one live cartridge, some money and 180 Ml of foreign liquor.

It has been submitted by learned counsel for the petitioner that he is innocent and has been falsely implicated in the



present case. He further submits that charge sheet has already been submitted hence there is no chance of tampering with the prosecution evidence and another co-accused who was apprehended along with petitioner has since been granted privilege of bail by this Court in Cr. Misc. No. 50685 of 2016 on 24.11.2016.

. However, learned A.P.P. for the State submits that petitioner is named in the FIR and has got as many as seven cases pending against him, hence, opposes the prayer for bail.

Be that as it may, considering the facts and circumstances of the case and from materials available it does reveal that the petitioner's release would adversely effect the trial, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Town P.S. Case No. 195 of 2016 subject to the condition that one of the bailors must be a close 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 with further condition that petitioner shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence.

With theses observations and directions, this application stands allowed.

(Nilu Agrawal, J)

Prakash/-

U			
---	--	--	--

