

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13765 of 2016

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

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Baldeo Sah, S/o Late Ganga Sah, R/o village - Marpa Iswar Das, P.S. -
Majorganj, District - Sitamarhi.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dinesh Jha

For the Opposite Party/s : Mr. Dinesh Singh(App)

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

ORAL ORDER

2 22-04-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Mejorganj P.S. Case No. 248 of 2015, registered under Section
25(1-b), 26, 35 Arms Act, Section 4, 5, 6 of Explosive Substance
Act, Section 17 of the C.L.A Act and Section 17/18 of U.A.P.
Act.

The accusation is that in course of patrolling duty,
three persons were seen on motorcycle, on chase they started to
flee away leaving the motorcycle, but they were apprehended by
the Police, who disclosed their names as Kailash Thakur @
Prakash @ Netajee, Vikash Rai @ Vikash Patel @ Shivendu
Kumar and Baldeo Sah (Petitioner). On search of Kailash
Thakur one pistol and some literature were found, whereas one

plastic bag containing two detonators was recovered from the possession of the petitioner, whereas Naxali literature and mobile phone was recovered from the possession of co-accused Vikash Rai.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. The petitioner is accused in Purnahiya P.s. Case No. 75 of 2013 in which he is on bail. Further submission is that petitioner is in custody since 26.09.2015. Further submission is that similarly situated co-accused, namely, Laxmi Sahni has already been granted privilege of bail by a co-ordinate Bench of this Court vide order dated 03.03.2016 passed in Criminal Misc. No. 10180 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 Chief Judicial Magistrate, Sitamarhi in connection with Mejorganj P.S.Case No. 248 of 2015. Out of two sureties, one surety must be the parents/close relative of the petitioner, who will file an affidavit showing his relation with the petitioner and further to furnish information about the change of address of the petitioner. The petitioner shall remain present on

each and every date during the course of the trial in the court below. If the petitioner fails to remain present on two consecutive dates during the course of the trial without any reasonable cause being shown, the court concerned would be at liberty to take steps for cancellation of his bail bonds.

(Rajendra Kumar Mishra, J)

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