

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5877 of 2015

Arising Out of PS.Case No. -213 Year- 2013 Thana -MINAPUR District- MUZAFFARPUR

1. Lalan Kumar Kushwaha @ Lalan Prasad Kushwaha @ Lalan Prasad Son
of Sita Ram Prasad Resident of Village - Sonoul, P.S- Rajepur, District -
East Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Rajendra Nath Jha(App)

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

5 22-02-2016 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 offence
punishable under section 398 of the I.P.C and section 27 of the
Arms Act.

Allegedly, three miscreants after assaulting the
informant with the butt of the pistol tried to snatch motorcycle of
the informant, the miscreants has also opened fire and then after
hearing the sound of firing and alarm raised by the informant the
nearby persons started assembling and then the persons started
fleeing away but one of them was caught who stated his name as
Suman Kumar and he stated the name of the petitioner and other
co-accused.

Submission is of false implication and that the

petitioner is being implicated in one case after another, he has been remanded in this case on 11.06.2014 and since then he is in custody, nothing has been recovered from possession of the petitioner, the police has recorded the confessional statement of the petitioner forcibly, Suman Kumar who was apprehended at once has already been allowed bail vide Cr. Misc. No. 1453 of 2014 and as such the petitioner also deserves sympathetic consideration, to which the learned A.P.P. opposes by submitting that the petitioner is involved in 14 more cases.

In the facts and circumstances as stated above, considering detention of the petitioner, now he is 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 C.J.M. Muzaffarpur in Meenapur P.S. Case No. 213 of 2013, 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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