

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21970 of 2016

Arising Out of PS.Case No. -133 Year- 2015 Thana -BARURAJ District- MUZAFFARPUR

Suresh Ram, son of Jagdev Ram, Resident of Village- Fatehpur, P.S.-
Tariyani, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

3 27-07-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Baruraj
P.S. Case No.133 of 2015 registered under Sections 399, 402, 414
and 120(B) of the Indian Penal Code besides Sections 25(1-b) a,
26(II) and 35 of the Arms Act and Sections 20/22 of the N.D.P.S.
Act.

The accusation is that on receiving secret information
about the gathering of 8-10 miscreants at Middle School situated
at Sahebganj More, near village-Bethuria, for committing dacoity,
police reached there where petitioner and the co-accused Md.
Ayub Ansari, Md. Illiyas, Devendra Rai and Rajesh Bhagat were

apprehended by the police and the petitioner was found in possession of one country made loaded pistol, three intoxicated injections with three syringes and 50 Activan tablets.

Learned counsel appearing on behalf of the petitioner submits that, in fact, the petitioner has been made accused in five other cases, as detailed in paragraph-3 to the application, in which he is on bail and after releasing on bail in the aforesaid five cases, the petitioner has been made accused in this case showing the aforesaid recovery from his possession. Further submission is that while the seizure list was prepared on 03.11.2015 at 09.15 P.M. and the F.I.R. was lodged on the same day at 10.45 P.M. but the seizure list bears the Police Station case number which crates a serious doubt about the prosecution story. The petitioner is in custody since 04.11.2015.

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 Session Judge, Muzaffarpur, in connection with Baruraj P.S. Case No.133 of 2015. Out of the two sureties, one must be close relative of the petitioner, who will file an affidavit giving genealogy as to how he/she is related with the petitioner. The bailors will

undertake to furnish information to the court about any change in
the address of the petitioner.

(Rajendra Kumar Mishra, J)

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