

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23961 of 2016

Arising Out of PS.Case No. -151 Year- 2014 Thana -SAKRI District- MADHUBANI

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1. Avinash Kumar Das @ Guddu Son of Bijay Kumar Das Resident of
Village: Bhajnaha PS: Laukaha District: Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimal Kumar

For the Opposite Party/s : Mr. Parmanand Prasad (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 14-07-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 399, 402, 414 of the Indian
Penal Code and Sections 25(1-A)B, 26, 35 of the Arms Act.

Petitioner and some others were caught by the police
when they had assembled to make preparation for committing
dacoity and it is alleged that one country made loaded katta and
one iron nail are said to have been recovered from conscious
possession of the petitioner for which petitioner is in jail custody
since 02.12.2014. Petitioner carries criminal antecedent of near
about five cases but all the aforesaid cases were lodged in the year
2014.

The learned trial court has reported that charge against the petitioner was framed on 29.07.2015 but in spite of issuance of summons and bailable warrants not a single prosecution witness turned up for evidence.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VI, Madhubani in connection with Sessions Trial No. 112 of 2015 arising out of Sakri P.S. Case No. 151 of 2014, subject to condition that one of the sureties must be father of the petitioner and furthermore, he shall attend the trial court on each and every date in person for the period of six months or till conclusion of his trial whichever is earlier and if he fails to do so on two consecutive dates without any genuine cause, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Hemant Kumar Srivastava, J)

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