

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38387 of 2016

Arising Out of PS.Case No. -248 Year- 2012 Thana -SIMRI BAKHTIARPUR District- SAHARSA

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Manoj Sada @ Kundan Singh, S/o Lalo Sada, R/o Village - Piparpati, P.S. -
Alauli, District - Khagaria.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Shiva Shankar Sharma, Advocate

For the Opposite Party : Mr. Sri Dilip Kumar (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 04-10-2016 Heard learned counsel for the petitioner and the
learned counsel representing the State.

The petitioner seeks bail in connection with
Bakhtiarpur P.S Case No. 248 of 2012 registered for the offences
punishable under Sections 147, 148, 149, 447, 380 of the Indian
Penal Code and Section 27 of Arms Act.

Allegedly, the petitioner and others F.I.R. named
accused persons being armed, came and started opening fire and
thereafter they took away *Ghee, Rice, Khesari, Mung*, Bed-sheet,
Utensils etc. and further after breaking the lock took away of Rs.
70,000/- and diesel, as per description given in the F.I.R.

Submission is of false implication and that no such
occurrence has taken place, petitioner has never possessed or used

the alleged recovered fire arms, nothing has been recovered from the possession of the petitioner, petitioner is in jail custody since 03.05.2016 and he has sufficiently been penalized.

The learned A.P.P. submits that petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering the chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence, he is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa, in connection with Bakhtiarpur P.S. Case No. 248 of 2012, 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.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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