

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51652 of 2016

Arising Out of PS.Case No. -10 Year- 2016 Thana -CHAURADANO District-
EASTCHAMPARAN(MOTIHARI)

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1. Ravindra Safi Son of Ramkisun Safi @ Ram Kishore Safi Resident of
village Tenuahi PS Ladania Distt. Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Soban Asghar, Advocate

For the Opposite Party/s : Mr. S. Ehteshamuddin, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 14-12-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
09.02.2016 in connection with Chhauradano P. S. Case No. 10 of
2016 registered for the offence punishable under Sections 399,
401, 402 of the Indian Penal Code and Section 25 (1-b) a/26/35 of
the Arms Act.

The prosecution case as lodged by one Pankaj
Kumar, Officer-in-Charge, Chhauradano is that in the night of
08.02.2016, after getting information, he along with other police
officials arrived at Railway Gumti, Chhauradano and two
persons were caught and in presence of witnesses, a country
made rifle, katta and two cartridges of .315 bore were recovered
from the possession of the petitioner and from another person,
namely, Shakti Kapoor, a country made run/ katta and five



cartridges of 12 bore were recovered from his possession and accordingly, seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he has been falsely implicated in the aforesaid case and that he has a clean antecedent. It has further been submitted that charge sheet has already been submitted against him, hence, there is no chance of tampering with the prosecution evidence. It has further been submitted that on similar allegation the other co-accused Shakti Kapoor has since been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 26853 of 2016 dated 13.07.2016.

However, learned A.P.P. for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, considering the period of custody and that another co-accused on similar allegation has been enlarged on bail, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Raxaul at Motihari in connection with Chhauradano P. S. Case No. 10 of 2016.

(Nilu Agrawal, J)

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