

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51434 of 2016

Arising Out of PS.Case No. -105 Year- 2016 Thana -RAJGIR District- NALANDA
(BIHARSHARIFF)

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Bhaskar Kumar, Son of Ganesh Mahto, Resident of Village- Khatopur,
P.S.- Muffasil (Lakho O.P.), District- Begusarai

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Smt. Asha Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 01-12-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in custody since
06.06.2016 in connection with Rajgir P.S. Case No. 105/16
for offences punishable under Sections 399, 402, 414, 328 of
the Indian Penal Code and under Section 25(1-b) a, 26, 35 of
the Arms Act.

The prosecution case is that the police on
evening patrolling apprehended five persons including the
petitioner and from the possession of petitioner one loaded
country-made pistol with two mobiles were recovered.
Accordingly, seizure-list was prepared.

It has been submitted by the learned



counsel for the petitioner that he is innocent, has no criminal history and has falsely been implicated in the aforesaid case. He submits that other co-accused has since been granted the privilege of bail and that charge-sheet has already been submitted against him, hence, there is no chance of tampering with the prosecution evidence.

However, learned APP 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, since from the materials available it does not reveal that the petitioner's liberty on bail would adversely affect his trial, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Nalanda at Biharsharif, in connection with Rajgir P.S. Case No. 105/16.

This direction of bail is further subject to the condition that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police



officer or tamper with the evidence and shall appear before the learned Court below as and when directed.

With these observations and directions, the application stands allowed.

(Nilu Agrawal, J.)

Rajesh/-

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