

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42175 of 2016

Arising Out of PS.Case No. -273 Year- 2016 Thana -SIWAN MUFFASIL District- SIWAN

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Sandeep Bashishth, son of O.P.Sharma, resident of 104/2 side No.1, village-
Kidwai Nagar, P.S. Kidwai Nagar, District-Kanpur (U.P.)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Vinod Pandey, Advocate

For the Opposite Party : Mr. Sri Dashrath Mehta, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 24-11-2016 Heard the learned counsel for the petitioner and the

learned APP for the State.

Petitioner is languishing in judicial custody since
05.07.2016 in connection with Siwan Muffasil P.S.Case No.273 of
2016 for offence alleged under Sections 419, 420, 467, 468, 471,
472, and 120(b)/34 of the IPC and Sections 25(1-b)a/26 and 35 of
the Arms Act.

The prosecution case is that the police intercepted
some rifles and bullets from a car during raid. The petitioner was
the driver of the said car.

Learned counsel for the petitioner submits that the
petitioner is only a driver of the said car and he had joined one of
the accused Raj Kishore Rai on remuneration from 08th June,
2016. He further submits that the petitioner has no criminal history

and that the said accused Raj Kishore Rai has already been granted the privilege of bail by a Coordinate Bench of this Court in Cr.Misc.No.45070 of 2016 dated 18.10.2016. He submits that chargesheet has already been submitted and the trial has not yet commenced. From the materials on record does not reveal any incriminating materials which would warrant further detention of the petitioner in custody.

However, learned APP for the State submits that the petitioner is named in the FIR, hence opposes the prayer for bail.

Be that as it may, since the other co-accused has already been granted privilege of bail, let the above named petitioner be released 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 CJM, Siwan in connection with Siwan Mufasil P.S.Case No.273 of 2016.

This direction for bail is further subject to the condition that the accused above-named shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear, in the learned Court below, as may be directed.

In terms of the above observations and directions, this
bail application stands allowed.

(Nilu Agrawal, J)

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