

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.52342 of 2016

Arising Out of PS.Case No. -447 Year- 2015 Thana -KAHALGAON District- BHAGALPUR

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1. Raja Kumar @ Raja Piter @ Sanni Kumar Son of Ramanand Sinha
Resident of Village Rampur, P.S. Shiv Narayanpur, District Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 16-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

Petitioner is languishing in judicial custody since
22.10.2015 in connection with Sessions Trial No. 187 of 2009,
Trial No. 31 of 2016 arising out of Shivnarayanpur (Kahalgaon)
P. S .Case No. 447 of 2015 registered for the offence punishable
under Sections 399, 402 and 414 of the Indian Penal Code.

The prosecution case as lodged by the police
personnel is that on secret information that some persons are
planning to commit dacoity, they apprehended two persons
including the petitioner with a country made loaded gun and two
motorcycles were also recovered from the place of occurrence.

It has been submitted by the learned counsel for the



petitioner that a separate case has been instituted against the petitioner against seizure of country made gun as Kahalgaon P.S.Case No. 446 of 2015 in which he has been released from custody. He further submits that only allegation is of stealing motorcycle, which can not be attributed to the petitioner as the same was not recovered from the possession of the petitioner. It has further been submitted that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence.

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, 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 Additional Sessions Judge- 6th , Bhagalpur in connection with Sessions Trial No. 187 of 2009, Trial No., 31 of 2016 arising out of Shivnarayanpur (Kahalgaon) P. S. Case No. 447 of 2015, with a condition that one of the bailors would be a close relative of the petitioner and the other bailor would have sufficient immovable property within the jurisdiction of the concerned police station and the petitioner is



directed to appear before the learned Court below on each and every date and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bond.

(Nilu Agrawal, J)

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