

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9384 of 2016

Arising Out of PS.Case No. -123 Year- 2015 Thana -SASARAM NAGAR District- SASARAM
(ROHTAS)

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Santosh Dom, son of Late Rajendra Dom, Resident of Mohalla- Dalelganj,
P.S.- Sasaram, District- Rohtas

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Renu Kumari, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 29-02-2016 Heard learned counsel for the petitioner and
learned APP for the State.

Petitioner is languishing in judicial custody since
03.02.2015 in connection with Sasaram (T) P.S. Case No. 123/15
for offences alleged under Sections 414/34 of the Indian Penal
Code and under Sections 25(1-B) a, 26 of the Arms Act.

The prosecution case, as lodged by one Satyendra
Kumar Singh, S.I. of Sasaram (T) Police Station, is that while he
was on patrolling duty along with other police party on
03.02.2014, when at 4.30 A.M. he reached at Alamganj More he
saw some persons assembled near a rickshaw who after seeing the
police party tried to flee away. Out of them, two persons were
caught by the police, who disclosed their name as Santosh Dom

(petitioner) and Raj Babu Paswan. Search was made and a country-made loaded pistol is said to have recovered from the possession of the petitioner and from the possession of co-accused Raja Babu Paswan, some other article is said to have recovered and they failed to produce any document and to give any reply about the recovered article.

It has been submitted by the learned counsel for the petitioner that he is innocent and on the basis of suspicion the petitioner has been apprehended. It has further been submitted that no looted property has been recovered from the conscious possession of the petitioner. He points out that earlier his bail application has been rejected by a Co-Ordinate Bench of this Court in Cr. Misc. No. 28764 of 2015 on 05.08.2015.

Learned APP for the State, however, opposes the prayer for bail.

Since the petitioner is in custody since 03.02.2015 and no looted materials have been recovered from his possession, the petitioner, above named, 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 Chief Judicial Magistrate, Rohtas at Sasaram in connection with Sasaram (T) P.S. Case No. 123/15 subject to the following conditions :



- (i) One of the bailors will be the close relative of the petitioner.
- (ii) The petitioner will not indulge in similar or in any other offence.
- (iii) The petitioner will be well represented in the court.
- (iv) In case of absence for two consecutive dates or in violation of the terms of the bail, his bail bond will be liable to be cancelled by the court concerned.

(Nilu Agrawal, J.)

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