

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1825 of 2017

Arising Out of PS.Case No. -452 Year- 2016 Thana -DANAPUR District- PATNA

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Vikas Kumar, son of Late Jitendra Rai, resident of Mithila Colony,
Nasriganj, Police Station - Danapur, District - Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party : Mr. Ahmad Ali (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 19-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Danapur
P.S Case No. 452 of 2016 registered for the offences punishable
under Sections 399, 402 of the Indian Penal Code and Section
25(1-b)a, 26, 35 of the Arms Act.

Allegedly, three persons including the petitioner were
apprehended and they disclosed the name of their associates, who
succeeded in fleeing away and further they admitted that they have
assembled to commit dacoity and from possession of other co-
accused arms and cartridges recovered whereas from possession of
the petitioner nothing was recovered.

Submission is of false implication and that the



petitioner has been apprehended illegally and after three days he has been remanded in this case. The petitioner is suffering in custody since 24.10.2016 without any recovery and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned A.C.J.M., Danapur, Patna, in connection with Danapur P.S. Case No. 452 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

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