

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8256 of 2017

Arising Out of PS.Case No. -99 Year- 2015 Thana -PIPRA District- SUPAUL

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1. Pampam Singh @ Pampam Yadav @ Singh Jee, Son of Bhudeo Prasad Singh @ Bhudeo Kumar Singh, Resident of Village- Raghunathur, P.S.- Bhargama, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Sri Damodar Prasad Tiwary

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 03-05-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code.

The petitioner and others were apprehended on the allegation that they were preparing to commit dacoity. From the possession of the petitioner, a country made loaded pistol was recovered along with cartridges.

Submission of the petitioner is that for recovery of the firearm, a separate case has been lodged wherein the petitioner has been implicated and in the present case, there is no material to substantiate that the preparation was only for commission of dacoity because other preparations are no offence,



except the three circumstances mentioned in the Indian Penal Code. His next contention is that this petitioner has disclosed in paragraph 3 of the bail petition that he is accused in nine cases. However, in almost all the cases, the petitioner is not named in the FIR. He is in custody since 09.07.2015.

Learned counsel for the State opposed the prayer for bail on the ground of criminal antecedent of the petitioner.

Considering the period already undergone as well as the fact that the investigation is complete and there is no chance of conclusion of the trial in near future, let 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 learned Additional Chief Judicial Magistrate-V, Supaul/successor Court in connection with Pipra Police Station Case No. 99 of 2015, subject to the condition that the petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that both the bailors shall be the resident of within the jurisdiction of the learned court below.

(Birendra Kumar, J)

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