

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.15302 of 2017**

Arising Out of PS.Case No. -279 Year- 2016 Thana -BIHIYA District- BHOJPUR

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Mohit Lal Thakur Son of Late Ram Thakur, Resident of Village-Goura,  
P.S.-Bihiya, District-Bhojpur.

.... .... Petitioner/s

Versus

The State of Bihar

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Binod Kumar 2

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      06-04-2017      Heard the parties.

This application has been filed in connection with  
Bihiya/Bahavanpur for the offence under Sections 399 and 402 of  
the Indian Penal Code.

It is submitted on behalf of the petitioner that it is alleged  
that there is allegation of recovery of one country-made Pistol and  
three cartridges. He is in custody for about five months. He has no  
criminal antecedent. In this case also, nothing has been recovered  
from him and he has been falsely implicated.

Heard learned A.P.P. also.

Having heard both sides and considering the period of  
custody of the petitioner, let the petitioner, above named, be  
enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty



Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. 5<sup>th</sup>, Bhojpur, Ara in connection with Bihiya/Baharampur (O.P.)No.279 of 2016.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

**(Vinod Kumar Sinha, J)**

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