

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23948 of 2017

Arising Out of PS.Case No. -225 Year- 2016 Thana -SALKHUA District- SAHARSA

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1. Chandan Kumar Son of Indradev Rai Resident of Village-
Jharkhaha,P.S.- Allouli, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh, Advocate

For the Opposite Party/s Md. Anzarul Haque Sahara, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

4 24-07-2017 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

The petitioner is in judicial custody since 19.11.2016 in connection with Salkhua (Chiraiya O.P.) P. S. Case No. 225 of 2016 for offences alleged under Sections 147, 148, 149, 353, 307, 504 of the Indian Penal Code and Sections 25 (1-a)A, 26, 27 and 35 of Arms Act.

The prosecution case as lodged by the police personnel is that on a secret tip off that Ramanand Yadav, a veteran criminal along with other associates have assembled to commit crime, the police conducted a raid. The accused persons started firing with rifle and A.K.-47 and managed to escape but five persons



including the petitioner were apprehended.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that the petitioner has no other criminal antecedent except Allouli P.S.Case No. 92 of 2016 for offence under Sections 384/34 of the Indian Penal Code in which higher police officials have directed the Investigating Officer to submit the final form. He further submits that the petitioner was found in possession of one rifle and six cartridges and other co-accused on similar allegations have been granted the privilege of bail by a Co-ordinate Bench of this Court in Cr. Misc. No. 18427 of 2017 on 24.04.2017.

However, learned A.P.P. for the State submits that the petitioner is also a member of a criminal group and one semi regular rifle with charger along with six cartridges has been recovered from the possession of the petitioner, hence, opposes the prayer for bail.

Considering the facts and circumstances, the petitioner, above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional District and Sessions Judge, Saharsa in connection with Salkhua (Chiraiya O.P.) P.S. No. 225 of 2016 arising out of Sessions Trial No. 19/2017 subject to the conditions that the petitioner will cooperate



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

(Nilu Agrawal, J)

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