

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.26031 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -DULHIN BAZAR District- PATNA

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1. Niranjan Kumar son of Sri Jaleshwar Yadav, resident of Village-
Majhanpura, P.S.- Bikram, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr Ramchandra Sahani, A.P.P.

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2017 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is languishing in jail since
21.01.2017 in a case registered for offences punishable under
Sections 399, 402 of the Indian Penal Code and 25 (1-b)a, 26 and
35 of Arms Act.

The prosecution case as lodged by S.H.O. of Danapur
P.S. is that on the basis of a secret tip off, during patrolling duty
police apprehended three motorcycles with six persons being rider
including the petitioner and from the possession of the petitioner
one loaded country made pistol along with one live cartridge and
from the possession of other co-accused persons some arms and
ammunitions were recovered. It is also alleged that the petitioner
disclosed that they indulged in loot of the passersby.



It has been submitted by the learned counsel for the petitioner that he is innocent, has falsely been implicated in the aforesaid case and he bears no criminal antecedent, although after being arrested in the present case, another case has been lodged against him bearing Dulhin Bazar P.S.Case No. 36/2017. It has further been submitted that charge sheet has already been submitted, hence there is no chance of tampering with the prosecution evidence and considering the period of custody, a sympathetic view may be taken.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances, let the petitioners, above named, be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate- III, Danapur in connection with Dulhin Bazar P.S.Case No. 06/2017, subject to the condition that the petitioner will appear before the learned Court below during trial as and when required by the learned Court below and failure to appear before the Court below on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

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