

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35379 of 2017**

Arising Out of PS.Case No. -95 Year- 2016 Thana -DAWATH District- SASARAM (ROHTAS)

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1. Prakash Kumar Son of Kamendra Sah, Resident of Village- Semari  
(Maligyabag), P.S.- Dawath, District- Rohtas.

.... .... Petitioner/s

Versus

1. The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Sheo Jee Mishra

For the Opposite Party/s : Mr. Sri Sanjay Kumar Tiwary 1

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

2      07-08-2017              The petitioner seeks regular bail in connection with  
  
Dawath P.S. Case No. 95 of 2016, registered for offences  
  
punishable under Section 399, 402 and 414 of the Indian Penal  
  
Code.

Prosecution case in short is that police on secret  
information raided a place and arrested accused persons including  
petitioner and on seeing the police they started fleeing away but  
caught and on being asked for valid papers of the motorcycles, on  
which they were fleeing away, they fail to produce the valid  
papers and licenses and from the possession of one of the accused  
one country made pistol along with one live cartridge was  
recovered.

It has been submitted on behalf of the petitioner that he



has falsely been implicated in this case and nothing has been recovered from the possession of the petitioner. Further petitioner has been in judicial custody since 02.11.2016.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned SDJM, Bikramganj, District – Rohtas, in connection with Dawath P.S. Case No. 95 of 2016, subject to the 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 cooperate 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.

**(Vinod Kumar Sinha, J)**

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