

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51601 of 2017

Arising Out of PS.Case No. -96 Year- 2016 Thana -SONBERSA District- SITAMARHI

=====

1. Sanju Raut, Son of Rambabu Raut, Resident of Village- Jai Nagar, P.S.
- Sonbarsa, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Alok Kumar Jha

For the Opposite Party/s : Mr. Nand Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 03-11-2017 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since
17.06.2017 in connection with Sonbarsa P.S. Case No. 96 of
2016 for offences punishable under Section 392 of the Indian
Penal Code and 25(1-B) a, 26, 35 of the Arms Act.

The prosecution case, as lodged by the informant,
is that while he was returning home in his motorcycle, four
miscreants stopped him and took away his purse on gun
point. The informant caught hold of one of the accused
persons who had gun in his hand and on hulla villagers came
but the apprehended accused Raj Kishore Ram named the
petitioner along with Md. Saddam, who had escaped.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and was not caught red-handed nor he had any weapon, as such no case under the Arms Act is made out against him. He submits that no T.I. Parade has been done so far and one of the co-accused, on similar circumstances, has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 13336 of 2017 on 02.05.2017.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Sitamarhi, in connection with Sonbarsa P.S. Case No. 96/2016, subject to the following conditions :

- (i) Both the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating their relationship with the petitioner.
- (ii) If the petitioner indulges in an offence of similar



nature in future, the prosecution will be at liberty to
move the learned court below for cancellation of
his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

U		T	
---	--	---	--

