

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52539 of 2017

Arising Out of PS.Case No. -171 Year- 2015 Thana -MAJORGANJ District- SITAMARHI

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Kailash Thakur Son of Raman Thakur Resident of Village +P.S.-
Purnahiya, District- Sheohar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate.

For the Opposite Party/s : Mr. Sri Ram Sumiran Roy, APP.

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

4 22-12-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in Majorganj P.S. Case No.
171 of 2015 registered under Sections 399 and 402 of the Indian
Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and
Section 17 of the CLA Act.

On the tip off of spotting of some miscreants in the
Devi Sthan, the police raided the said place and apprehended three
of them while others managed to escape. The apprehended
accused disclosed the name of the petitioner as one of his fleeing
accomplice. The police also recovered and seized several arms and
ammunitions and incriminating papers from the place of
occurrence.



It is submitted by learned counsel for the petitioner that the petitioner is neither concerned with the aforesaid occurrence nor with the apprehended accused persons. He was not apprehended on the spot. No incriminating article has been recovered from his conscious physical possession. There is no cogent material in the case diary indicating the complicity of the petitioner in the occurrence barring confessional statement of co-accused Hemant Ram. The petitioner has been languishing in custody since 07.02.2017.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned Chief Judicial Magistrate, Sitamarhi in connection with Majorganj P.S. Case No. 171 of 2015.

(Prakash Chandra Jaiswal, J)

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