

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55086 of 2017

Arising Out of PS.Case No. -175 Year- 2017 Thana -BOCHHA District- MUZAFFARPUR

=====

Sachin Kumar S/o Arvind Kumar Chaudhary @ Arvind Chaudhary, R/o
Village- Bhatauna, P.S.- Saraiya, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Sri Ajit Kumar

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 24-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Bochhan P.S.
Case No. 175 of 2017 (G.R. No. 3846 of 2017) for offences
punishable under Sections 399, 402, 414 of the Indian Penal Code
and Section 25 (1-b) A, 26 and 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during patrolling duty they received information
that some persons have assembled to commit crime. The police
raided the place of occurrence and apprehended five persons
including the petitioner. On search several incriminating articles
were found from the possession of other accused persons and from



the possession of the petitioner one country made pistol and one live cartridge was recovered. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and that he has been falsely implicated in the aforesaid case. He submits that he is languishing in judicial custody since 28.08.2017 without any fault.

However, learned APP for the State opposes the prayer for bail stating therein that two motorcycles were also recovered for which the petitioner along with other co-accused did not produce any papers.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of six months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XI-cum-Additional Chief Judicial Magistrate, Muzaffarpur, in connection with Bochhan P.S. Case No. 175 of 2017 (G.R. No. 3846 of 2017), subject to the conditions that:

(1) Both bailors would be close relative of the



petitioner having sufficient immovable property,
who will file an affidavit stating their relationship
with the petitioner.

(2) 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)

Devendra/-

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

