

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.48105 of 2016

Arising Out of PS.Case No. -113 Year- 2016 Thana -BARGANIA District- SITAMARHI

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Rakesh Jha Son of Late Tej Narayan Jha Resident of Village -Pachtaki
Yadu, P.S- Bairaginia, District - Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

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

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 11-01-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Bairginia
P.S. Case No. 113 of 2016 registered under Sections 399, 402 of
the I.P.C. and 25(1-b), 25(1-b)(a), 26 and 35 of the Arms Act and
section 4/5 of the Explosive Substance Act.

The accusation is that on secret information, the
police reached at the place of occurrence and found 5-7 persons,
including this petitioner committee untoward act and from the
possession of this petitioner, one loaded country-made pistol was
recovered.

Submission of learned counsel for the petitioner is
that petitioner is innocent and no overt act has been committed by



him. Further submission is that similarly situated co-accused person namely Pradeep Kumar has already been allowed bail by a Bench of this Court vide Cr. Misc. No. 53039 of 2016. Petitioner is in custody since 11.07.2016.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Sitamarhi in connection with Bairginia P.S. Case No. 113 of 2016, subject to the condition that petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence and shall appear before the Court below as and when required.

(Arvind Srivastava, J)

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