

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35295 of 2017

Arising Out of PS.Case No. -17 Year- 2017 Thana -ARA NAGAR District- BHOJPUR

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Dhiraj Kumar Singh @ Dhiraj Kumar, son of Ramesh singh @ Suresh Singh, resident of village Semariya, P.S. Barhara, District Bhojpur

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha

For the Opposite Party/s : Mr. Umesh Lal Verma

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 17-08-2017 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner is languishing in judicial custody since 23.01.2017 in connection with Ara Town P.S. Case No. 17/17 for offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 25/35 of the Arms Act.

The prosecution case, as lodged by the police personnel, is that on information that some criminals have assembled near Alhafiz College to make plans for committing dacoity, the police reached the place and apprehended six persons including the petitioner. From the possession of the petitioner, one country-made pistol and one live cartridge was recovered.

It has been submitted by the learned counsel for the



petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no overt act has been committed by him and that he is languishing in jail custody for more than seven months, hence, a sympathetic consideration be given. He further submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent.

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, Bhojpur at Ara, in connection with Ara Town P.S. Case No. 17/17, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property within the jurisdiction of the concerned police station/ court, who will file an affidavit stating his relationship with the petitioner and that petitioner will appear before the learned court below during trial as and when required



and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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