

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.55699 of 2016

Arising Out of PS.Case No. -605 Year- 2016 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Abhishek Kumar, Son of Raj Kishore Singh, resident of Village- Hara
Khbora, popularly known as Harakhbara, P.S. Pakaridayal, District- East
Champaran at present residing at Mohall- Gayatrinagar, Motihari, P.S.-
Motihari Town, Dist.- East Champaran. Petitioner

Versus

The State of Bihar.

... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Prabhat Kumar

For the Opposite Party/s : Mr. Sri Rajendra Singh Shastriji

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 10-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Motihari
Town P.S. Case No. 605 of 2016 registered for the offences
punishable under Sections 399, 402 of the Indian Penal Code and
Sections 25(1-B)a, 25/26 of the Arms Act.

Allegedly, the petitioner and others have assembled in the
house of co-accused Sachin Kumar to commit crime and from
possession of the petitioner one country made Katta and one
loaded cartridge besides two other cartridges and mobiles as per
seizure list were recovered.

Submission is of false implication and that nothing was
recovered from conscious possession of the petitioner, everything
has been planted, the petitioner has been made victim of



circumstances and without any fault he is suffering in custody since 26.09.2016.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named **shall be released on bail after completion of six months custody from the date of his remand in this case** on execution of 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, Motihari in connection with Motihari Town P.S. Case No. 605 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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