

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55753 of 2016

Arising Out of PS.Case No. -19 Year- 2016 Thana -BARURAJ District- MUZAFFARPUR

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Raja Babu, S/o Md. Sagir, R/o Village- Birhiya, Andol, P.S.- Baruraj,
District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K., Adv.

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta, APP.

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

3 31-01-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Baruraj
P.S. Case No.19 of 2016 registered for the offences punishable
under Sections 121, 121(A), 414 and 120B of the Indian Penal
Code, Sections 25(1-B)a, 26(ii) and 35 of the Arms Act, Sections
20 and 22 of the N.D.P.S. Act as also Section 10, 11, 13, 17, 18,
18(A), 19 and 20 of the U.A.P. Act.

Allegedly, the petitioner and two accused were
arrested when they have assembled along with others to commit
some heinous crime and from possession of the petitioner one
loaded country made Katta, three live cartridges, two mobiles,
cash of Rs.240/- and four nexalite pumplets were recovered,
whereas from other co-accused also arms and ammunitons and



heroine, the narcotics substances were recovered.

Submission is of false implication and that nothing has been recovered from the conscious possession of the petitioner, he has been made victim of the circumstances and without any fault he is suffering in custody since 16.03.2016 having no criminal antecedent and, as such, now he deserves sympathetic consideration.

Learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, considering the alleged recovery and detention of the petitioner now, he is directed to be released on bail on execution of bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Sessions Judge, Muzaffarpur in connection with Baruraj P.S. Case No.19 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.

Arvind/-

(Jitendra Mohan Sharma, J)

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