

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2569 of 2017

Arising Out of PS.Case No. -193 Year- 2016 Thana -MANIHARI District- MUZAFFARPUR

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Omdeo Sharma @ Chhotu @ Laddu, S/o Sri Bhola Sharma, Resident of
Village- Sakari Saraiya, P.S.- Kurhani, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pawan Kumar Singh

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

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

ORAL ORDER

3 20-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Maniyari P.S.
Case No. 193 of 2016 registered for the offences punishable under
Sections 399, 402, 120B of the Indian Penal Code read with
Sections 25 (1-b)a/26 (i)/35 of the Arms Act and Sections 20/22 of
the N. D.P.S. Act.

Allegedly, acting on a tip off, the Police raided the place of
occurrence from where persons started fleeing away but the
petitioner and others were caught and from possession of the
petitioner one dagger (big knife) and mobile were recovered and
further from place of occurrence Mahindra Panther motorcycle
was recovered whereas from possession of other co-accused arms
and tablets etc. were recovered.



Submission is of false implication and that nothing has been recovered from possession of the petitioner, the petitioner has got no criminal history and without any fault he is suffering in custody since 13.10.2016, chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

Learned APP submits that the petitioner and other co-accused were apprehended when they were making plan to commit crime.

In the facts and circumstances stated above, considering the period of detention, the petitioner above named is directed to be released on bail 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 Sessions Judge-cum-Special Judge, Muzaffarpur in connection with Maniyari P.S. Case No. 193 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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