

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47329 of 2017

Arising Out of PS.Case No. -123 Year- 2017 Thana -DANAPUR District- PATNA

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1. Monu Kumar Son of Shambhu Singh, resident of Village- Chulhaichak,
P.S. Rupaspur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Amit Kumar Rakesh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 06-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
07.03.2017 in connection with Danapur P.S. Case No. 123/2017
for offences punishable under Sections 399, 402, 414, 413 of the
Indian Penal Code and Sections 25(1-B) a, 26, 35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that on secret information that some miscreants have
assembled to commit dacoity, the police raided the place and
apprehended seven persons including the petitioner. From the
possession of the petitioner one country-made pistol and one live
cartridge was recovered. Accordingly, a seizure-list was prepared.

It has been submitted by the learned counsel for the



petitioner that he is innocent, no overt act has been alleged to have been committed, 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 as many as six cases, some of similar nature, are pending against the petitioner.

Considering the facts and circumstances and the materials on record as well as the period of custody, 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 Addl. Chief Judicial Magistrate-I, Danapur, Patna, in connection with Danapur P.S. Case No. 123/2017, subject to the condition that both the bailors would be close relatives of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner including the details of the property 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. It is also made clear that if the petitioner indulges in an offence of similar nature in future, the prosecution will be at



liberty to move the learned court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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