

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5194 of 2017

Arising Out of PS.Case No. -273 Year- 2016 Thana -BIRPUR District- SUPAUL

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Suraj Kumar son of Kumbha Narayan Sardar, R/o village- Chatgaon, P.s.-
Tribeniganj, District- Supaul Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Dinesh Choudhary

For the Opposite Party/s : Mr. Smt. Asha Devi

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

ORAL ORDER

2 09-03-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Birpur P.S.
Case No. 273 of 2016 registered for the offences punishable under
Sections 399, 402, 414 of the Indian Penal Code, Sections 25(1-
B)a,26/35 of the Arms Act and Section 38(1) Bihar Excise Act,
2016.

Allegedly, the petitioner and other co-accused were
apprehended when they were making plan to commit crime and
from possession of the petitioner one mobile of Lava Company
was recovered.

Submission is of false implication and that no
incriminating article has been recovered from possession of the
petitioner and the petitioner is suffering in custody since
30.10.2016, the petitioner has got no criminal antecedent and as



such he deserves sympathetic consideration.

Learned APP submits that from the place of occurrence one mobile, country made Nepali liquor and cartridges were recovered.

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 Additional Chief Judicial Magistrate, Birpur in connection with Birpur P.S. Case No. 273 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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