

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.5239 of 2017

Arising Out of PS.Case No. -134 Year- 2016 Thana -KAMTAUL District- DARBHANGA

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Anish Thakur @ Anil Thakur, son of Sri Rambabu Thakur, Resident of
Village- Raghauli, P.S.- Bisfi, District- Madhubani..... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate
Mr. Babita Kumari

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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

ORAL ORDER

2 17-03-2017 Heard learned counsel for the petitioner and learned counsel
representing the State.

Petitioner seeks bail in connection with Kamtaul P.S. Case
No. 134 of 2016 registered for the offences punishable under
Sections 353/34 of the Indian Penal Code and Sections 25(1-b)A,
26/35 of the Arms Act.

Allegedly, the petitioner and one man were coming on
motorcycle, when the Police personnel tried to search them, the
petitioner discloses his name and speeded away with motorcycle.
Thereafter, the raid was conducted at the house of the petitioner
and the petitioner was apprehended with loaded sixer revolver and
from his room one mobile having two SIM was also recovered.
The petitioner disclosed that the said sixer revolver was purchased
from one Raman Singh for Rs. 20,000/-.



Submission is of false implication and that the prosecution story appears not reliable and probable. It is not believable that the petitioner after fleeing away will hide himself in his house with revolver. The petitioner without any fault is suffering in custody since 10.08.2016 and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail.

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 learned Judicial Magistrate Ist Class, Darbhanga in connection with Kamtaul P.S. Case No. 134 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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