

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19364 of 2018

Arising Out of PS.Case No. -306 Year- 2017 Thana -RIGA District- SITAMARHI

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1. Sujit Kumar, Son of Kishori Thakur, R/o Village- Bhavangama, P.S.-
Riga, District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Adv.

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

02 01-05-2018

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302, 115, 120-B, 272 and 273 of the Indian Penal Code, Section 25 (1-b)a, 26/35 of the Arms Act and Section 30 (a) of the Bihar Prohibition and Excise Act, 2016.

One country made pistol and four posters containing some incriminating slogans are said to have been recovered from the possession of the petitioner and the petitioner is said to have been proceeding to commit murder of someone along with other accused persons.

It is submitted by learned counsel for the petitioner



that no incriminating article has been recovered from the conscious physical possession of the petitioner. He has no concern either with the seized article or the alleged occurrence. He has been falsely implicated in this case at the instance of his enemy. No cartridge is said to have been recovered from the possession of the petitioner so the country made pistol without cartridge is of no use. Though one more case has been lodged against the petitioner but he is on bail in the said case. He has been languishing in custody since 30.10.2017. One similarly situated co-accused, namely, Suraj Kumar Singh has been enlarged on bail by a coordinate Bench of this Court in Cr. Misc. No.61321 of 2017 vide order date 21.12.2017.

In the facts and circumstances of the case, the above named petitioner is directed to 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 the learned 2nd Additional Sessions Judge-cum-Special Judge Excise Act, Sitamarhi in connection with Riga P.S. Case No.306 of 2017.

(Prakash Chandra Jaiswal, J.)

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