

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41407 of 2018

Arising Out of PS.Case No. -119 Year- 2018 Thana -RIGA District- SITAMARHI

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1. Ram Bahadur Kumar, S/o Bikau Sah, Resident of Village- Belahi Khurd,
P.S.- Sahiyara and District- Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 13-07-2018 Heard the learned counsel for the petitioner and
the learned APP for the State.

Petitioner seeks bail in connection with Riga P.S.
Case No. 119/2018 for offences alleged under Sections 399, 402
and 411 of the Indian Penal Code read with Sections 25(1-b)a, 26
and 35 of the Arms Act.

The prosecution case, as alleged by the
informant, is that on secret information that some criminals are
planning to commit crime, the police raided the place and
apprehended two persons including the petitioner, who disclosed
the name of three other persons who had weapons and
ammunitions. On search from the co-accused, one country made
pistol, two live cartridges along with one motorcycle is alleged to



have been recovered and from the possession of the petitioner, one motorcycle is alleged to have been recovered.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and has been falsely implicated in the aforesaid case. It has further been submitted that the petitioner is languishing in judicial custody since 23.04.2018. Charge-sheet has already been submitted in this case and the provisions of the Arms Act is not applicable against him.

Learned APP for the State, however, opposes the prayer for bail.

Considering the aforesaid facts and materials on record, 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 Chief Judicial Magistrate, Sitamarhi, in connection with Riga P.S. Case No. 119/2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(2) It is also made clear that if, in future, petitioner indulges in an offence of similar nature, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J.)

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