

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48082 of 2018

Arising Out of PS. Case No.-269 Year-2017 Thana- DESARI District- Vaishali

Prakash Kumar son of Vimal Sah, resident of Village- Balwa Kuari, P.S.-
Hajipur Sadar, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh
For the Opposite Party/s : Mr. Sri Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 13-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in connection
with **Desari P.S. Case No. 269 of 2017** registered for the
offence punishable under Sections 399 and 402 of the Indian
Penal Code and Section 25(1-13)a, 16 and 35 of the Arms Act

Allegation against the petitioner is of committing
dacoity, though he is not named in the FIR.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case.
Petitioner had granted loan of Rs. 20,000/- to FIR named
accused Sanjay Das and when the petitioner demanded the said
money altercation took place between them. It has been further
submitted that the name of the petitioner has surfaced in this



case on the basis of confessional statement of co-accused Sanjay Das and Ajit Rai.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Additional chief Judicial Magistrate-II, Vaishali at Hajipur** in connection with **Desari P.S. Case No. 269 of 2017** subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(S. Kumar, J)

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