

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52411 of 2018

Arising Out of PS.Case No. -575 Year- 2017 Thana -KANTITHARMAL POWER District-
MUZAFFARPUR

=====

Bittu Kumar @ Raja, S/o Dilip Bhagat @ Dilip Singh, Resident of Village-
Kolhua Paigambarpur (Ayachigram), P.S.- Ahiyapur, District- Muzaffarpur.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn

For the Opposite Party/s : Mr. Amitesh Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2. 28-09-2018 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner, in the present case, is seeking regular bail
in connection with Sessions Trial No. 257/2018 arising out of
Kanti P.S. Case No. 575/2017 dated 29.12.2017 registered for the
offence punishable under Sections 399, 400, 402, 413, 414 of the
Indian Penal Code and under Section 25(1-b)a/26/35 of the Arms
Act.

Learned counsel for the petitioner submits that
petitioner has no criminal antecedent. It is submitted that the
allegation is that this petitioner was one of the persons who was
planning to commit to loot of money from Mahila Jeevika are
false and baseless. It is submitted that petitioner was going on the
motorcycle with his brother-in-law towards Kanti Kothiya when



they were arrested. It is submitted that nothing has been recovered from the possession of this petitioner and as per statement made in paragraph-3 of the application the petitioner has got no criminal history.

On the other hand, learned Additional Public Prosecutor for the State has opposed the prayer for bail and submits that this petitioner was arrested by police while he was planning along with others to commit loot. It is stated that one country made loaded Katta was recovered from the possession of this petitioner.

Considering the facts and circumstances of the case wherein it is submitted that the petitioner is in custody for about 7½ months and he has no criminal history as also that the co-accused Prem Kumar has been granted bail by the learned co-ordinate Bench of this court, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 15,000/- (Rupees fifteen thousand only) with two sureties of the like amount each to the satisfaction of the learned 13th Additional Sessions Judge, Muzaffarpur, in connection with Sessions Trial No. 257/2018 arising out of Kanti P.S. Case No. 575/2017, subject to condition as laid down under Section 437(3) of the Code of Criminal Procedure with further condition that one of the bailors would be a



family member having no criminal antecedent; the petitioner should not be found involved in any offence of similar nature in future and he will be present in trial court as and when the dates are fixed. Two consecutive failures to attend the court for no plausible reason shall lead to cancellation of his bail by the court below without looking for any application for this purpose on behalf of the prosecution.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

