

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62949 of 2018

Arising Out of PS. Case No.-219 Year-2018 Thana- RIGA District- Sitamarhi

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Jitendra Kumar @ Jitu Kumar, Son of Bigan Mahto @ Tigan Mahto, R/o Mohinimandal, P.S.- Mejarganj (Suppi O.P.), District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 29-10-2018 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Riga P.S. Case No. 219 of 2018 registered for the offences punishable under Sections 399, 402 and 414 of the Indian Penal Code and under Section 25(1-b)a, 26/35 of the Arms Act.

Allegation against petitioner is of recovery of one country made pistol from his possession as well as other co-accused.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

If trial is not concluded within six months of custody, petitioner may renew his prayer for bail in court below



and shall be released on bail after six months of custody 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. 219 of 2018 with conditions:

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case case diary, prosecution will be at liberty to move for cancellation of bail of the petitioner.

With the aforesaid liberty this criminal miscellaneous stands disposed of.

(S. Kumar, J)

Rajiv/Manoj-

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