

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68855 of 2018

Arising Out of PS. Case No.-500 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Riyajul @ Md. Reyajun, S/o Md. Khudaudin, Resident of Village- Shahpur
Damodarpur, P.S.- Kanti, District- Muzaffarpur. Petitioner/s
Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.
For the Opposite Party/s : Mr. Mritunjay Kumar Nirala

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 13-12-2018 Heard learned counsel for the parties.

Petitioner seeks bail in Kanti P.S. Case No.500/18
registered for the offence punishable under Sections 399, 402,
413, 414 of the Indian Penal Code and Sections 25(1-b) (A)/
26/35 of the Arms Act.

Informant is the Officer-in-Charge of Police Station
who has stated that on 20.08.2018 at 10.15 p.m. he received an
information that near Freedom Garage some miscreants have
assembled to commit some grave crime and on receiving such
information, he reached there and on seeing the police,
miscreants tried to escape but nine of them were arrested and
four managed to escape. Upon search, loaded country made
pistol, live cartridge, mobile phones etc. were recovered from
them.



It has been submitted on behalf of the petitioner that the petitioner was neither arrested on spot along with other co-accused nor his name was mentioned in the F.I.R. It has further been submitted that on the confession of co-accused, his name has surfaced in this case. Similarly placed accused, Rajkant @ Rajkant has already been granted bail by this Court vide order dated 05.12.2018 passed in Cr. Misc. No.68829 of 2018. Petitioner has no criminal antecedent and he is in custody since 22.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned S.D.J.M., (West), Muzaffarpur in connection with Kanti P.S. Case No. 500/18 with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for cancellation of
bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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