

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34958 of 2018

Arising Out of PS.Case No. -156 Year- 2017 Thana -SAKRA District- MUZAFFARPUR

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1. Ganesh Rai, S/o Ramanuj Rai, resident of Village - Ram Nagar, P.S. - Sakra, District - Muzaffarpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 14-08-2018 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-B)A, 25(1-A), 25(1-AA) 25(1-AAA), 26(2), 27(2), 35 of the Arms Act, Section 3/4 of the Explosive Substance Act, Sections 16, 17, 18, 20, 22 and 23 of the Unlawful (Activities) Prevention Act, 1967.

This is the second attempt of the petitioner for grant of bail. Earlier prayer for bail was refused vide order dated 09.11.2017 passed in Cr. Misc. No. 50851 of 2017 (Annexure-1).

Detonators and live cartridges were recovered from possession of the petitioner and he was carrying criminal antecedent that was the reason for refusal of bail, though the petitioner is in custody since 13.05.2017.



Submission of the learned counsel for the petitioner is that liberty was allowed to the petitioner to renew his prayer for bail after five months before the court below which shall be considered without being prejudiced the order of refusal of bail.

The report of the learned trial Judge at flag A would reveal that even charges have not been framed in this case.

Considering the nature of allegation and period already undergone by the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Sakra Police Station Case No. 156 of 2017, subject to the condition that the petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner as well as condition that both the bailors shall be resident of within the territorial jurisdiction of the learned court below.

(Birendra Kumar, J)

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