

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.44353 of 2018

Arising Out of PS.Case No. -123 Year- 2017 Thana -DANAPUR District- PATNA

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1. Rakesh Kumar @ Babua, S/o Mahendra Rai, R/o Vill. - Mathiapur, P.S.
- Shahpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Prem Kumar Jha

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 25-07-2018 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 399, 402, 414, 413 of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act.

Seven persons were arrested by the police on suspicion that they had assembled to commit dacoity. From possession of co-accused Monu Kumar a country made pistol and one live cartridge was recovered. Monu Kumar has already been allowed bail by a Coordinate Bench of this Court vide order dated 06.10.2017 passed in Cr. Misc. No. 47329 of 2017.

Submission is that the petitioner is in custody since 07.03.2017. Nothing was recovered from possession of the petitioner and he has got criminal antecedent which are registered



for the offence of theft.

Considering the fact that there is no substantial material against 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 Danapur Police Station Case No. 123 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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