

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75505 of 2018

Arising Out of PS. Case No.-391 Year-2018 Thana- NARPATGANJ District- Araria

Suraj Kumar, Son of Kumbh Narayan Sardar, resident of Village Chatgaon,
P.S.- Triveniganj, District Supaul.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana
For the Opposite Party/s : Mr. Sri Madan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Narpatganj P.S. Case No. 391 of 2018 G.R. No.
2062 of 2018 registered for the offence punishable under
Sections 399, 402 of the Indian Penal Code.

Informant is the Police Officer, who in his self
statement has stated that on 28.06.2018 he was on patrolling
duty, received a secret information that at Nathpur D.S. Petrol
Pump some miscreants has assembled to commit dacoity and on
receiving such information, he along with other police official
reached there and on seeing police, miscreants assembled there
tried to escape but four of them were arrested and one managed
to escape. On search a golden colour Samsung mobile phone



from right waist and two live cartridges from left pocket of fulpant has been recovered from the possession of Petitioner.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case due to ill motive of informant. It has been further submitted that for the recovery of Arms and ammunition, the police registered another separate case i.e. Narpatganj P.S. Case No. 392 of 2018 of Arms Act. Nothing has been recovered from the possession of petitioner. Petitioner is in custody since 19.07.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria, in connection with Narpatganj P.S. Case No. 391 of 2018 G.R. No. 2062 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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