

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.24011 of 2018

Arising Out of PS.Case No. -392 Year- 2017 Thana -KHARAGPUR District- MUNGER

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Indramani Singh S/o Ramvilash Singh, resident of village Bhadaura, P.S. Shampur, District Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh

For the Opposite Party/s : Mr. Dr. Rabindra Kumar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 18-05-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner, who is in custody since 18.12.2017, seeks bail in connection with Kharagpur (Shampur) P.S. Case No.392 of 2017 registered for the offences under Sections 399, 400 and 402 of the Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the Arms Act.

It is alleged that the petitioner along with other co-accused were apprehended by police party with one rifle and one live cartridge while they were planning for commission of dacoity.

It has been submitted that the petitioner was practicing for physical test for the post of constable. The police party merely on suspicion apprehended the petitioner. Nothing has been



recovered from conscious possession of the petitioner rather it has been transplanted by the police itself. The petitioner has clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer for bail is allowed and the above named petitioner is directed to be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the likewise amount each to the satisfaction of learned A.C.J.M. IV, Munger in connection with Kharagpur (Shampur) P.S. Case No.392 of 2017 subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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