

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69798 of 2018

Arising Out of PS. Case No.-306 Year-2017 Thana- RIGA District- Sitamarhi

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Pappu Kumar @ Pappu Patel Son of Jhingur Patel R/o Village-Jamuwa,P.S.
Bairginia,Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Sri Kanhaiya Kishore

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 07-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Riga P.S. Case No. 306 of 2017 registered for the offence
punishable under Sections 302, 115, 414, 120B, 272, 273 of the
Indian Penal Code and Sections 25(1-b) a, 26/35 of the Arms
Act and Section 30(a) of Bihar Prohibition and Excise Act.

Informant is the Police Officer, who in his written
complaint has stated that he received a secret information that
some miscreants assembled near Riga Railway station for
committing murder of some businessmen, on such information
he along with other police officials reached there but seeing the
police personnel, miscreants started fleeing and thereafter they
were caught hold and they disclosed their name as Sandeep



Kumar Sah, Sujit Kumar and Suraj Kumar Singh and on search one country made pistol, one mobile and one motorcycle were recovered from their possession and from search of said motorcycle 6.00 litres of Nepali Saufi was recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on the basis of confessional statement of co-accused Sujit Kumar. Petitioner was neither apprehended on the spot nor he was identified by anyone. Other co-accused persons have been granted bail by this Hon'ble Court as contained in Annexure-2.

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 2nd Additional Sessions Judge-cum Special Judge, Excise Act, Sitamarhi, in connection with Riga P.S. Case No. 306 of 2017 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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