

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22222 of 2018

Arising Out of PS. Case No.-515 Year-2017 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

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Amit Kumar, Son of Shivji Thakur, Resident of Village-Bara Jagranathpur,
P.S. Ahiyapur, District-Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok

For the Opposite Party/s : Mr. Pradeep Narain Kumar

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 19-04-2018 Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner is languishing in judicial custody since
22.07.2017 in connection with Trial No. 1996 of 2017,
arising out of Town P.S. Case No. 515 of 2017 for offences
punishable under Sections 414, 401 of the Indian Penal Code
and Sections 25(1-b)a/26/35 of the Arms Act.

The prosecution case, as lodged by the police
personnel, is that during course of patrolling they
apprehended the petitioner along with co-accused Dilip
Sahni, who were found on a motorcycle without number and
from the possession of the petitioner one country-made pistol
and one live cartridge was recovered. Accordingly, seizure-



list was prepared separately with regard to both the petitioner and co-accused.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no overt act has been alleged to have been committed by the petitioner and the co-accused Dilip Sahni has since been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 61331 of 2017 vide order dated 08.03.2018. He further submits that charge-sheet has already been submitted and there is no allegation of tampering with the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate-13th, Muzaffarpur, in connection with Trial No. 1996 of 2017, arising out of Town P.S. Case No. 515 of 2017, subject to the condition that one of the bailors would be a close relative of



the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Rajesh/-

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