

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68829 of 2018

Arising Out of PS. Case No.-500 Year-2018 Thana- KANTI THARMAL POWER District-
Muzaffarpur

Rajkant @ Rajkant Kumar, S/o Jamun Sah, Resident of Village- Damodarpur,
P.S.- Kanti, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr. Sri Akbar Ali

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 05-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Kanti P.S. Case No. 500 of 2018 registered for
the offence punishable under Sections 399, 402, 413, 414 of the
Indian Penal Code and 25 (1-B) (A) 26, 35 of Arms Act.

Informant is the Officer-in-charge of police station,
who in his self statement has stated that on 20.08.2018 at 10.15
PM he received an information that near Freedom Garage some
miscreants has assembled to commit some grave crime and on
receiving such information, he reached there and on seeing
police, miscreants assembled there tried to escape but nine of
them were arrested and four managed to escape. Petitioner is
neither named in the FIR nor his name was disclosed as the
accused who fled away, however on confession of Hasnain Ali,
house of the petitioner was raided and two stolen Mazic Tempo



and one stolen Bolero Jeep was recovered from his premises.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case and nothing was recovered from his house. Petitioner has no criminal antecedent and he is in custody since 21.08.2018.

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 S.D.J.M. (West), Muzaffarpur, in connection with Kanti P.S. Case No. 500 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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