

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77026 of 2018

Arising Out of PS. Case No.-245 Year-2018 Thana- MASHRAK District- Saran

Sujan Sah, S/o Chhotelal Sah @ Chotelal Sah, Resident of Village
Ismailchak, P.S. Sonepur, District- Saran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi
For the Opposite Party/s : Mr.Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Mashrak P.S. Case No. 245 of 2018 registered
for the offence punishable under Sections 399/402 of the Indian
Penal Code and 25 [1-B] a, 26 and 35, of the Arms Act.

Informant is the Police Officer, who in his written
complaint has stated that while he was on patrolling duty
alongwith police personnel, he saw 8-9 persons standing beside
the road on three motorcycle and on seeing police they tried to
flee away and they were chased and apprehended. On search, a
cash of Rs. 5000/- and samsung mobile set has been recovered
from the possession of petitioner.

It has been submitted on behalf of petitioner that he
is innocent and has been falsely implicated in this case. Nothing



has been recovered from his possession. Other co-accused, namely, Tufani Rai @ Ghanshyam Rai has been granted bail by this Hon'ble Court vide order dated 13.12.2018 passed in Cr. Misc. No. 74443 of 2018. Petitioner has no criminal antecedent and he is in custody since 20.07.2018.

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 A.C.J.M., 6th, Saran at Chapra, in connection with Mashrak P.S. Case No. 245 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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