

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41060 of 2018

Arising Out of PS. Case No.-392 Year-2018 Thana- SAHARSA District- Saharsa

=====

Rahul Kumar @ Boka @ Rahul Kumar Boka, Son of Guddu Mukhiya,
Resident of D.B. Road, Ward No.10, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Satish Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

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

Petitioner seeks bail in connection with Saharsa
Sadar P.S. Case No. 392 of 2018 registered for the offence
punishable under Section 401 of the Indian Penal Code.

The prosecution case, as lodged by the informant-
police personnel, is that during night patrolling, the petitioner
and three others were found in a suspicious condition, who
seeing the police personnel, tried to flee away, but were
apprehended. From the possession of other co-accused some
items like, iron rod, rinch and screw driver were recovered and
from the possession of the petitioner, one knife was recovered.
Accordingly, a seizure-list was prepared.

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 committed and co-accused from whose possession iron rod was recovered, has since been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 34969 of 2018 vide order dated 20.06.2018. The petitioner is languishing in judicial custody since 01.04.2018.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 392 of 2018, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will cooperate in



the investigation and will appear before the
Police/ Court as and when required and
failure to appear will entail cancellation of his
bail bonds.

(Nilu Agrawal, J.)

Arjun/-

U		T	
---	--	---	--

