

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.8593 of 2019

Arising Out of PS. Case No.-91 Year-2018 Thana- SIKARHATTA District- Bhojpur

OM PRAKASH RAY, aged about 48 years (Male) S/o of Shiv Kumar Ray @
Shiv Gopal Rai R/o village- Sikarhata, P.S- Sikarhata, P.S. Sikarhata, District-
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH

ORAL ORDER

2 13-02-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sikarhata P.S. Case No. 91 of 2018 registered for the offence
punishable under Sections 399, 402 and 307 of the Indian Penal
Code and Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The allegation is regarding the Police having received
information that the miscreants have come at the house of the
petitioner and were planning to commit crime whereupon the
Police had raided the house of the petitioner and the co-accused
persons were arrested and as far as the petitioner is concerned, it
is stated that though no recovery was made but one motorcycle
was found from the place near the house of the petitioner which
is said to be a stolen motorcycle. There is also allegation of the



Police having heard gun shot firing made by the miscreants.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and as far as the petitioner is concerned, neither any incriminating articles have been recovered from the house of the petitioner nor there is any material to connect the petitioner with any incident of theft. It is stated that though the petitioner is accused in two other case but he has been acquitted in one case and he is on bail in other case. Lastly, it is submitted that the petitioner is languishing in custody since 30.11.2018.

Having regard to the facts and circumstances of the case, the petitioner, above named, is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Bhojpur at Ara in connection with Sikarhata P.S. Case No. 91 of 2018.

(Mohit Kumar Shah, J)

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