

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8578 of 2019

Arising Out of PS. Case No.-09 Year-2017 Thana- MANIYARI District- Muzaffarpur

JITENDRA RAI @ JITENDRA KUMAR RAI S/o Ram Deni Rai Resident of
Village - Chakmehri, P.S- Maniyari, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyotsna Rani Mishra

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 19-02-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Maniyari P.S. Case No. 09 of 2017 registered for the offence punishable under Sections 399, 402, 414, 120B of the Indian Penal Code and 25(1-b)a, 26(ii) 35 of Arms Act and 20/22 N.D.P.S. Act.

Informant is the Police Officer, who in his self statement has stated that on 13.01.2017 at about 3:00 AM he received secret information that at Maniyari village near mango orchard of one Ashok Singh some miscreants have assembled to commit some grave crime and on receiving such information, he alongwith other police party reached there and on seeing police, miscreants assembled there tried to escape but three of them



were apprehended and rest managed to escape. Apprehended persons disclosed the names of other miscreants who managed to flee on seeing the police which included the name of petitioner also.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. Name of petitioner has surfaced in this case only on the basis of confessional statement of co-accused. Nothing has been recovered from the possession of petitioner. It has been further submitted that co-accused, namely, Vikash Kumar has been granted bail by this Hon'ble Court as contained in Annexure-2. Petitioner has no criminal antecedent and he is in custody since 25.10.2018.

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 Sessions Judge-cum-Special Judge, Muzaffarpur, in connection with Maniyari P.S. Case No. 09 of 2017 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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