

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10299 of 2019

Arising Out of PS. Case No.-293 Year-2018 Thana- MUFFASIL District- West Champaran

SATYENDRA PANDEY @ SATENDRA PANDEY Son of Late Parshu Ram Pandey Resident of Village - Khairatiya P.S.- Bettiah (M) Manuapool, Distt - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Adya Singh

For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 20-02-2019 Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bettiah (Muffasil), Manuapool, (Mufasil Manuapool) P.S. Case No. 293 of 2018 registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of Arms Act.

Informant has alleged that on receiving information that some criminals have assembled in order to commit some crime, he raided the place and upon seeing police 4-5 persons assembled there fled away, however, one Rajan Mishra was apprehended and he disclosed the name of other co-accused who had fled away and from his possession one country made



pistol alongwith cartridges were recovered.

It has been submitted on behalf of the petitioner that at the time of occurrence he was in judicial custody, as such he cannot commit any crime. He has been made accused on the basis of confession of co-accused that on his dictates the crime was to be committed. Petitioner is in custody since 23.07.2018.

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 Chief Judicial Magistrate, Bettiah (West Champaran), in connection with Bettiah (Muffasil), Manuapool, (Mufasil Manuapool) P.S. Case No. 293 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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