

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19179 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- MALI District- Aurangabad

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INDRAJEET GIRI @ INDRAJEET KUMAR GIRI, aged about 25 years,
Male, Son of Radheyshyam Giri, Resident of Village- Khambha, P.S.- Mali,
District- Aurangabad, Bihar,

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shakib Ayaz, Advocate

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 01-04-2019 Heard the learned counsel for the petitioner and

learned counsel appearing on behalf of the State.

Petitioner seeks bail in connection with Mali P.S.Case
No.02 of 2019 for the offence alleged under Sections 399, 402
and 414 of the Indian Penal Code as well as Sections 25(1-b)A,
26 and 35 of the Arms Act.

The prosecution case as lodged by the police
personnel is that on secret information that some criminals have
assembled and are in possession of a new Scorpio vehicle and
arms, the police conducted a raid and apprehended six persons
including the petitioner. From the possession of other co-
accused arms and ammunitions, cash and gold rings were
recovered and from the possession of the petitioner one gold
ring was recovered. On confession by the apprehended co-



accused they stated that they had robbed jewelry shop and Scorpio vehicle was also stolen one. Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal antecedent and no incriminating article has been recovered from his possession. No case under the Arms Act is made against him as no arms and ammunitions were recovered from his possession and gold ring belonged to him. He further submits that the petitioner is languishing in judicial custody since 24.01.2019 and undertakes to cooperate in the investigation and not to tamper with the prosecution evidence.

However, learned APP for the State opposes the prayer for bail.

Considering the nature of allegations and the materials on record, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Mali P.S.Case No.02 of 2019 to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will



file an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

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