

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24950 of 2019

Arising Out of PS. Case No.-362 Year-2016 Thana- KUDHNI District- Muzaffarpur

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DHARMENDRA KUMAR @ MURABBA, son of Shivji Prasad Gupta,
resident of village- Mradpur Dullah, P.S.- Ashayapur, District- Muzaffarpur.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Niranjan Parihar, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 08-05-2019 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in **Kurhani P.S. Case No.362 of 2016** instituted for the offence under Section(s) 399, 402, 414 Indian Penal Code, Sections 25(1-b)a, 26(ii), 35 of the Arms Act and Sections 8, 20(b)(II)(B) of the NDPS Act.

Prayer of the petitioner for bail was earlier rejected by this Court by order dated 22.03.2018 passed in Cr. Misc. No.16135 of 2018 with liberty to renew the prayer for bail after nine months if trial is not concluded within aforesaid period.

Allegation against the petitioner in the written report is that police got information that criminals have assembled at a place and planning for dacoity. It is alleged that one country made pistol and four live cartridges were recovered from possession of the petitioner.

Counsel for the petitioner submits that Petitioner is in



custody since 16.11.2016.

Report from the Court below about present stage of the case has been received from which it appears that case is still pending for evidence. The Court below has mentioned in the report that three months' more time will be required to conclude the trial.

Keeping in view the period of custody and that trial Court has not concluded the trial till date, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the **Sessions Judge cum Special Judge, Muzaffarpur**, in connection with **Kurhani P.S. Case No.362 of 2016**, subject to the condition that both the bailors shall be close relative of the petitioner.

Further, (i) the petitioner will remain present on each and every date of trial, (ii) His absence on two consecutive date(s) without any reasonable cause will make his bail bond liable to be cancelled, and (iii) the petitioner will not intimidate the witnesses in any way and will not hamper the trial.

(Sanjay Priya, J)

J. Alam/-

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