

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28154 of 2019

Arising Out of PS. Case No.-122 Year-2018 Thana- BHAIKAVSHATHAN District-
Madhubani

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Bikram Kumar Jha @ Bikram Kumar Jha, Son of Krishna Kumar Jha @
Fannu Jha, resident of Village- Shahpur, P.S.- Pandaul, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**

ORAL ORDER

2 02-05-2019 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 399 and 402 of the Indian Penal Code and Section 25 (1-b) a/26/35 of the Arms Act.

Five accused persons are said to have congregated to commit an offence and on the tip off police raided the place of occurrence and apprehended three of them while two managed to escape and recovered arms and ammunitions and knife etc. from the possession of the apprehended accused persons. The apprehended accused persons named the petitioner as one of their fleeing accomplices.



Learned counsel for the petitioner submitted that no such occurrence as alleged ever took place. The petitioner is quite innocent and has been falsely implicated in this case. He was not apprehended on the spot. No incriminating article has been recovered from the conscious physical possession of the petitioner. There is nothing on record indicating the complicity of the petitioner in the occurrence barring the disclosure made by the aforesaid accused persons due to animosity.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Jhanjharpur, Madhubani in connection with Bhairab Asthan P.S. Case No. 122 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Prakash Chandra Jaiswal, J)

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