

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34352 of 2019

Arising Out of PS. Case No.-3 Year-2019 Thana- JANDAHA District- Vaishali

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VIJAY RAI Son of Late Ram Briksh Rai Resident of Village- Nawada Khurd,
Police Station- Ganga Bridge in the district of Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Prem Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

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

The prosecution case is that on confidential information, the police reached the place of occurrence and recovered some arms from five co-accused persons and having seen the police party, the miscreants fled away from the place of occurrence. Petitioner is one who fled away from the place of occurrence.

The contention of the petitioner is that the petitioner has been made accused on the basis of confessional statement of



co-accused. It is further submitted that the arms were recovered from the other co-accused persons and not from the possession of the petitioner. Petitioner is having clean antecedent.

Considering the facts aforesaid, let the petitioner above named, in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/successor Court in connection with Jandaha P.S. Case No. 03 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bonds of the petitioner.

(Prabhat Kumar Singh, J)

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