

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35822 of 2019

Arising Out of PS. Case No.-556 Year-2018 Thana- SAKRA District- Muzaffarpur

Ghanshyam Thakur, aged about 30 years, Male, son of Naresh Thakur,
Resident of village – Mani Bhakurahar, P.S. Sarai, District – Vaishali

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Sri Nachiketa Jha

For the Opposite Party/s : Sri Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-06-2019 Heard Sri Nachiketa Jha, learned counsel for the

petitioner and Sri Satya Nand Shukla, learned Additional Public

Prosecutor.

The sole petitioner, who is in custody since
10.12.2018 as stated in paragraph 10 of the petition, has prayed
for grant of bail in connection with Sakra P.S. Case No. 556 of
2018, registered for the offence under Section 399, 400, 402,
413, 414/34 of the Indian Penal Code, 1860 and Section 25(1-b)
a / 26 / 35 of the Arms Act, 1959.

Learned counsel for the petitioner submits that
petitioner has falsely been apprehended on an accusation of
recovery of one loaded country made pistol with one live
cartridge. He submits that there was no material to establish that
petitioner along with others had assembled for committing



dacoity or he was preparing for committing *dacoity*. It has also been argued that only in the case charge sheet has been submitted and trial has not commenced.

Learned Additional Public Prosecutor has opposed the prayer for bail. However, considering the nature of accusation, period of custody as well as submission made by learned counsel for the petitioner that case has not proceeded till date, let the petitioner - Ghanshyam Thakur be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. - 4th, Muzaffarpur, East / concerned court in connection with Sakra P.S. Case No. 556 of 2018 with condition that one of the bailors must be blood relation of the petitioner.

(Rakesh Kumar, J)

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