

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45389 of 2019

Arising Out of P.S. Case No.-85 Year-2019 Thana- BARGAINIA District- Sitamarhi

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Dheeraj Kumar @ Neeraj Kumar Jha @ Dheeraj Kumar Jha, Male, aged about 22 years, S/o Bholanath Jha R/o village- Maniyari, P.S.- Suppi, District- Sitamarhi

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dinesh Jha, Advocate

For the Opposite Party : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor.

The petitioner is in custody in connection with Bairgania P.S.Case No.85 of 2019 registered for an offence under Sections 394 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged in the written report that some of the miscreants including petitioner boarded on Apache motorcycle, on the point of pistol, took away cash of Rs.2,93,000/ from the informant which was withdrawn by the informant from the bank. It is also alleged that one of the miscreants fired upon the brother of the informant which hit in his head and on account of which informant's brother fell down and during his treatment he



died in the clinic of Dr. Varun Kumar.

It is submitted on behalf of the petitioner that the petitioner has falsely been implicated in this case due to dirty village politics. It is further submitted that save and except suspicion, there is no any incriminating articles has been recovered from him. It is further submitted that only material against this petitioner is that mobile location of the petitioner was found near the place of occurrence on the date of occurrence. Petitioner is in custody since 26.04.2019 having clean antecedent.

In view of the aforesaid facts, let the above named petitioner 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 learned Chief Judicial Magistrate, Sitamarhi in connection with Bairstonia P.S.Case No.85 of 2019 with following condition:-

(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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