

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71108 of 2019

Arising Out of PS. Case No.-616 Year-2019 Thana- ARARIA District- Araria

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LAXMAN KUMAR SAH @ LAXMAN KUMAR @ LAXMAN SAH Son or
Rajesh Kumar Sah Resident of Village - Omnagar ward No. 08, Araria, P.S.
and District- Araria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana

For the Opposite Party/s : Mr.Vinod Shanker Modi

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 11-12-2019 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 03.08.2019 in connection with Araria P.S.Case No. 616 of 2019 for the alleged offences under Sections 447 and 120B of the Indian Penal Code and Sections 25(1-B)a, 26 and 29 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated in connection with the recovery of five cartridges from the *chajja* of one Rajesh Kumar. It is submitted that the cartridges have not been recovered from the conscious possession of the petitioner. As a matter of fact, it was the petitioner himself who had informed the police regarding the cartridges being kept there, but instead the petitioner has been



arrested on the accusation that he planted the cartridges in the backdrop of quarrel between the parties, while said Rajesh Kumar has not been made accused. The petitioner has already suffered more than four months in custody, who claims clean antecedents.

4. Be that as it may, 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 learned Chief Judicial Magistrate, Araria in connection with Araria P.S. Case No. 616 of 2019, on the following conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his



bail bond shall be liable to be cancelled by the learned Court
concerned.

(Vikash Jain, J)

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