

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78372 of 2019

Arising Out of PS. Case No.-260 Year-2019 Thana- JOGAPATTI District- West Champaran

Vivek Ra @ Ejra Johnson Son of Raju Ra, Resident of Village-Samri Tola,
Police Station-Chanpatia, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 02-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner in the present case is seeking regular bail in connection with Yogapatti (Sanichari) P.S. Case No. 260 of 2019 registered for the offences punishable under Sections 399, 402, 120B of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to dirty village politics. Learned counsel further submits that one loaded country made pistol has been recovered from the possession of the petitioner but the petitioner has no criminal history and the allegation is that he was one of the amongst two others who was planning to commit dacoity, the petitioner is



remained in custody since 10.07.2019.

Learned A.P.P. for the State has opposed the prayer for bail.

Considering the facts and circumstances of the case, wherein it is the submission of learned counsel for the petitioner that one loaded country made pistol has been recovered from the possession of the petitioner but the petitioner has no criminal history and the allegation is that he was one amongst two others who was planning to commit dacoity, the petitioner having remained in custody since 10.07.2019, let the petitioner above named be released on bail in connection with Yogapatti (Sanichari) P.S. Case No. 250 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, West Champaran, Bettiah, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

Further condition that one of the bailors of the petitioner would be a family member having no criminal antecedent.

(Rajeev Ranjan Prasad, J)

vats/ved

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