

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 80732 of 2019**

Arising Out of PS. Case No.-221 Year-2019 Thana- SURYAGARHA District- Lakhisarai

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DHIRAJ KUMAR Son of Adhik Mahto Resident of Village - Paharpur, P.S. -
Medanichowki, District- Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi

For the Opposite Party/s : Mr.Arun Kumar Pandey

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 09-12-2019 Heard learned Senior Counsel for the petitioner and
the learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 398, 399, 402 of Indian Penal Code and Sections 25 (1-
B) a, 26/35 of Arms Act.

It is submitted by the learned Senior Counsel
appearing for the petitioner that the manner of occurrence is
highly improbable. The petitioner has been implicated in this
case falsely and he denies the recovery of country made pistol
from his possession. It is submitted that the mobile phone,
recovery of which is attributed to the petitioner, is in the name
of petitioner. Petitioner is in custody since 20th of July, 2019
and has no criminal antecedent.



Learned APP for the State has opposed the prayer.

Considering the rival submissions, this Court is inclined to accept the submission of the petitioner's Senior Counsel.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Lakhisarai in Surajgarha (Manikpur) Police Station Case No 221 of 2019 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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