

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.80044 of 2018

Arising Out of PS. Case No.-399 Year-2018 Thana- RUPASPUR District- Patna

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1. Bablu Kumar, S/o- Sri Ramdarshan Ray, Resident of- Village Makhdumpur, P.S.- Shahpur, District- Patna; At present residing- As a tenant in the house of Harish Kumar, Yogipur, Sheo Mandir, P.S.- Parakarnagar, District- Patna.
 2. Pintu Kumar, S/o- Din Dayal Rai, Resident of- Village Makshudpur, P.S.- Shahpur, District- Patna, At present residing- As a tenant in the house of Sunil Kumar, Rajeev Nagar, Road No. 17, Mahadeo Path, P.S.- Shastri Nagar, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s. A. K. Thakur Babita Kumari Swati Sinha, Advocates
For the Opposite Party/s :		Mr. Rajballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-01-2019 Heard learned counsel for the parties.

Petitioners seek bail in Rupaspur P.S. Case No. 399 of 2018 registered for the offence punishable under Sections 399, 402, 379, 411 and 414 of the Indian Penal Code and under Section 25(1-b)a, 26 and 35 of the Arms Act.

Informant in his self-statement has alleged that on receiving secret information that some miscreants have assembled to commit some grave crime, he reached there and upon seeing the police party, miscreants started fleeing away, however, eight miscreants were apprehended and from



possession of petitioner no.1, one country made loaded pistol and from the possession of petitioner no.2, three live cartridges were recovered.

It has been submitted on behalf of the petitioners that they are innocent and have falsely been implicated in this case although according to F.I.R., they were arrested on 15.09.2018 and arms were also recovered on the same date but the same was produced before the C.J.M on 17.09.2018. Petitioners have no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioners named above be released on bail upon furnishing bail bonds of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of learned A.C.J.M-IIInd, Danapur, in connection with Rupaspur P.S. Case No. 399 of 2018, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioners shall co-operate 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the court below.

(3) If the petitioners tamper 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 petitioners.

(S. Kumar, J)

Sanjay/-

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