

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18419 of 2020

Arising Out of PS. Case No.-387 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

VIJAY KUMAR S/o Jagarnath Rai @ Jagnath Ray R/o village- Pirakhpur,
P.S.- Bochahan, District- Muzaffarpur. Petitioner/s

Versus

The State of Bihar. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 02-06-2020 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code and Section 25 (1-b)a, 26 and 35 of the Arms Act.

On tip-off when the informant along with the police force reached near Sarfuddinpur market, he arrested four persons including the petitioner and recovered arms and munition from the possession of the accused persons and one mobile set was recovered from the possession of the petitioner. It is said that they were preparing to commit dacoity.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The petitioner has committed no offence and has no concern with the



aforesaid occurrence. He has been falsely implicated in this case. No incriminating article has been recovered from his conscious physical possession. The allegation levelled against the petitioner is not specific rather omnibus. The chargesheet in the case has already been submitted. Co-accused, namely, Kamlesh Kumar has been enlarged on bail by a co-ordinate Bench of this court vide order dated 25.02.2020 passed in Cr. Misc. No.8291 of 2020. The petitioner has been languishing in custody since 25.11.2019.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-14th Muzaffarpur in connection with Bochahan P.S. Case No.387 of 2019, subject to the following conditions :

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) 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 reasons, his



bail bonds shall be liable to be cancelled by the learned court concerned.

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

(Anjani Kumar Sharan, J.)

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