

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24288 of 2020

Arising Out of PS. Case No.-286 Year-2019 Thana- KATRA District- Muzaffarpur

MUNNA RAI S/o Musahar Rai Resident of Village- Chainpur, P.S.- Katra,
Dist- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Parasmani
For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 24-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in Katra P.S. Case No. 286 of
2019, registered for the offence punishable under Sections 399,
402 and 414 of the Indian Penal Code and sections 25(1-B)a, 26
and 35 of the Arms Act and section 3/4 of the Explosive
Substance Act.

As per prosecution case, on 11.12.2019 at about 17
hours, the informant got information that one Uttam Rai along
with his associates had assembled at Shivnagar Chauk with
arms and ammunitions for committing some crime. The



informant along with others conducted raid. After seeing the police party, six persons started fleeing away by motorbikes, but three persons were apprehended and rest three managed to escape. The apprehended persons disclosed the name of this petitioner as one of the three persons who managed to flee away.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Name of this petitioner has surfaced in this case on the basis of confessional statement of co-accused. Petitioner was not apprehended on the spot. No incriminating article has been recovered from possession of this petitioner. Charge-sheet has already been submitted. Petitioner is in custody since 24.12.2019 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate XIV, Muzaffarpur in connection with Katra P.S. Case No. 286 of 2019, subject to following conditions:-

(i) The petitioner 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers 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 petitioner.

(Prabhat Kumar Singh, J)

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