

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28194 of 2020

Arising Out of PS. Case No.-63 Year-2020 Thana- SONBERSA District- Sitamarhi

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KRISHNANDAN BAITHA S/o- Rabindra Baitha, Resident of Village-
Ramnagra, Rasalpur, P.S.- Kanhauli, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Kumar, Adv.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-11-2020 Heard both sides through Video Conferencing.

Petitioner seeks bail in Sonbarsa P.S. Case No.63 of
2020 registered under Sections 399, 402, 414 of the IPC and
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The S.H.O. of Sonbarsa P.S. after having got
information about assemblage and preparation to commit
cognizable offence by the criminals raided the place and
apprehended Ramakant Kumar, Kishan Kumar, Rajesh Kumar,
Manish Kumar and Krishnandan Baitha (petitioner).

Learned counsel for the petitioner submits that from
possession of Ramakant Kumar one loaded pistol was
recovered. From possession of the petitioner, only one live
cartridge was recovered. The petitioner was apprehended from
his house. Ramakant Kumar has already been granted bail by a



coordinate bench of this court vide order dated 22.09.2020 passed in Cr.Misc.No.24885 of 2020. Rajesh Kumar @ Rajesh has also been granted bail by order dated 14.09.2020. The case of the petitioner stands on better footing as only one live cartridge is said to have been recovered from possession of the petitioner and for that the petitioner has remained in jail since 16.03.2020.

Having considered the facts aforesaid and the fact that for recovery of only one live cartridge the petitioner has remained in jail for more than seven and half months, the petitioner named above is directed to be released on bail on furnishing bail bond of Rs.10,000/-(rupees ten thousand) with two sureties of like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Sonbarsa P.S. Case No.63 of 2020.

(Prabhat Kumar Jha, J)

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