

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65497 of 2019

Arising Out of PS. Case No.-352 Year-2018 Thana- RUNISAIDPUR District- Sitamarhi

Mithalesh Ram @ Mithilesh Ram Son of Rajagir Ram Resident of Village-
Dihajivar, P.S.- Hathauri, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrendra Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 29-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Runnisaidpur P.S. Case No. 352 of 2018 G.R. No. 2585/2018**, registered for the offences punishable under Sections 148, 149, 324, 326, 307, 427, 392 and 353 of the Indian Penal Code and section 27 of the Arms Act and sections 3, 4, 5 of the Explosive Act and 17 of C.L.A. Act.

On 15.06.2018, while the informant, A.S.I, Runnisaidpur along with others were on patrolling duty received secret information that some miscreants are fleeing away with the vehicle of Piparahi P.S., thereafter they proceeded to Raksiya Bandh. That vehicle was caught hold by the informant, but thereafter, the miscreants started fleeing after making firing upon the police party. One village boy sustained gun shot injury



in the alleged occurrence. The miscreants managed to flee away after making firing and exploding bombs leaving the police vehicle.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Petitioner is not named in the FIR. Name of the petitioner has come on the basis of confessional statement of co-accused Bittu Singh. No incriminating article has been recovered from possession of this petitioner. There is no material which shows the complicity of this petitioner in the alleged crime. Till date no test identification parade has been held. Petitioner is in custody since 26.09.2019.

Considering the facts aforesaid, 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 **Chief Judicial Magistrate, Sitamarhi** in connection with **Runnisaidpur P.S. Case No. 352 of 2018 G.R. No. 2585/2018**, subject to the 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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