

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77005 of 2019

Arising Out of PS. Case No.-558 Year-2018 Thana- SARAIYA District- Muzaffarpur

PRAMOD KUMAR Son of Lakhindra Mahto @ Lakhendra Mahto Resident
of Village- Madhuwan, P.S.- Karja, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 16-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Saraiya P.S. Case No. 558 of 2018
registered under Sections 395, 397 of the Indian Penal Code
and 27 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R, no incriminating articles
have been recovered from his possession. Learned counsel
submits that petitioner has not been identified and there is no
direct evidence against the him, as also petitioner has remained
in custody for more than three months. Learned counsel further
submits that the investigation against the petitioner is complete
and the petitioner has no criminal antecedent.



Learned A.P.P. for the State has opposed the prayer for regular bail.

Considering the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the F.I.R, no incriminating articles have been recovered from his possession and that he has not been identified and there is no direct evidence against the petitioner as also petitioner has remained in custody for more than three months, the investigation against him is complete and the petitioner has no criminal antecedent, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Sub-Judge, 1st – cum A.C.J.M., 1st (West), Muzaffarpur, in connection with Saraiya P.S. Case No. 558 of 2018, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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