

Arising Out of PS. Case No.-285 Year-2017 Thana- SARAIYA District- Muzaffarpur

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... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Milind Kumar Mishra

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 25(1-b)a, 26, 25(1-A), 25(1-AA), 25(1-AAA), 35 of Arms Act, u/s 3/4 of Explosive Substance Act and u/s 16, 17, 18, 19, 20, 21 of the U.A.P. Act

As per the prosecution case, the informant got secret information that one group of Naxalites were convening meeting. On such, the police went there but the people assembled there escaped away except one Om Prakash Paswan who was apprehended by the police and he disclosed the name of other participants.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. No incriminating article has been recovered from the conscious possession of the petitioner. It is submitted that except disclosure of the name by Om Prakash Paswan regarding participation of petitioner in the meeting, there is no material against him. Petitioner is in custody since 17.10.2020 and



charge sheet has already been submitted in this case.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge- cum- Special Judge, Muzaffarpur in connection with Saraiya PS case No. 285/2017 on the following conditions:-

(1) 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 on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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