

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57992 of 2015

Arising out of PS.Case No. -80 Year- 2015 Thana -KONCH District- GAYA

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Sunil Kumar Sinha, Son of Shambhu Sharan Sinha, Resident of Village -
Oraka, P.S.- Rafiganj, District - Aurangabad & presently resident of
Mohalla - Gugri Tarn, Thakur Mohalla, P.S.- Vishnupad, District – Gaya.
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma

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

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CORAM: HONOURABLE MR. JUSTICE JYOTI SARAN
ORAL ORDER

2 22-01-2016

Heard the parties.

The petitioner is in custody in connection Konch P.S.
Case No.80 of 2015 (GR No.2272 of 2015) for the offences
punishable under sections 147, 148, 149, 353, 307, 384 and 212
of the Indian Penal Code, sections 25(1-b)A, 26, 27 and 35 of
the Arms Act, section 17 of the C.L.A. Act and sections 16, 17,
18 and 20 of the UAPA Act.

Counsel for the petitioner with reference to the FIR
present at Annexure-1 has submitted that the informant who
happens to be the SHO of the Police Station has charged the
petitioner and some others of being a part of an extremist
organization and on being challenged resorting to fire on the
police.

Counsel for the petitioner has submitted that no



recovery of fire-arm was made from the possession of the petitioner and that although the accused have been charged of taking shelter in the house of one Ramashish Yadav, some of the co-accused similarly situated with no evidence of recovery as well as Ramashish Yadav have been granted bail vide Cr. Misc. No.49955 of 2015 heard along with Cr. Misc. No.41334 of 2015, Cr. Misc. No.47585 of 2015 and Cr. Misc. No.48517 of 2015. He submits that the petitioner has no criminal antecedent.

Having heard learned counsel for the parties and considering the circumstances discussed hereinabove, let the petitioner, namely, Sunil Kumar Sinha be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction Ms. Akanksha Kashyap, Judicial Magistrate 1st Class, Gaya and/or the court concerned in connection with Konch P.S. Case No.80 of 2015 (G.R. No.2272 of 2015) subject to the following conditions:

- (a) One of the close relative of the petitioner would stand as a bailor and would file an affidavit as regarding his/her relationship with the petitioner as also an undertaking of informing the court below regarding change of address of the petitioner;
- (b) The petitioner would file an affidavit to accept the

police papers and if he avoids to do so, the court below would be at liberty to cancel his bail bonds and to take him in custody; and

- (c) The petitioner shall ensure his representation before the court below on each and every date fixed in the case and his failure to do so on two consecutive dates fixed without reasonable explanation to the satisfaction of the court below, would entitle the court concerned to cancel his bail bonds and to take him into custody.

(Jyoti Saran, J)

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