

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32901 of 2016

Arising Out of PS.Case No. -14 Year- 2016 Thana -TATARPUR District- BHAGALPUR

Prabhu Kumar Son of Ambika Yadav, resident of Village- Dashpur, P.S.-
Sajour, District- Bhagalpur.

.... Petitioner

Versus

1. The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shiwesh Chandra Mishra, Adv.

For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 18-08-2016

Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner is in custody since 22.01.2016 in connection with Tatarpur P.S. Case No. 14 of 2016 for the offences alleged under Sections 399, 402, 412 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

3. It is submitted that the petitioner has been falsely implicated and recovery of loaded country made pistol from the possession of the petitioner as alleged is denied. In any event it is stated that similarly situated co-accused Subhas Mandal @ Subas Mandal from whose possession one live cartridge had been recovered has been granted bail by this Court upon consideration of six months custody from the date of his remand in Criminal Miscellaneous No. 22600 of 2016. The Scorpio vehicle in question

has also since been released to its owner.

4. Having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-7, Bhagalpur in connection with Tatarpur P.S. Case No. 14 of 2016 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

Md. Ibrarul/Chandran

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