

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60546 of 2017

Arising Out of PS.Case No. -612 Year- 2017 Thana -BEGUSARAI TOWN District- BEGUSARAI

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1. Prabhat Kumar @ Prakash Kumar, Son of Anil Singh @ Ashok Singh,
Resident of Village-Lohra, P.S.-Harnaut, District-Nalanda. At Present
Resident of Village-Berhna Ward No.2, P.S.-Barh, District-Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

2 19-12-2017 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Begusarai (Town) P.S. Case No.612 of 2017 registered for the offences punishable under Sections 399/402 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

It is alleged that this petitioner and five others were apprehended by police. The allegation is that they were sitting inside the Scorpio to commit some crime. The learned counsel for the petitioner submits that the petitioner is neither owner of the vehicle nor any incriminating material has been recovered from his conscious possession. The alleged firearms have been recovered from the vehicle with which he has no concern. The



other three co-accused persons have been allowed bail by the court below on 04.12.2017. The petitioner is in custody since 01.11.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to 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 the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai (Town) P.S. Case No.612 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

(Sanjay Kumar, J)

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