

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.35919 of 2017**

Arising Out of PS.Case No. -958 Year- 2016 Thana -BIHTA District- PATNA

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TINKU KUMAR @ TINKU @ VIVEK KUMAR@TIKU Son of Late  
Ashok Sao @ Ashok Kumar, R/o Village- Dilawarpur, P.S.- Bihta, District-  
Patna.

.... .... Petitioner

Versus

The State of Bihar

.... .... Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Parashuram Singh

For the Opposite Party/s : Mr. Dilip Kumar

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      09-08-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with Bihta  
P.S.Case No. 958 of 2016 registered for the offences punishable  
under Sections 399, 402 and 414 of the Indian Penal Code and  
25(1-B)(a), 26 & 35 of the Arms Act.

As per FIR the allegation is that petitioner was  
arrested while preparing plan for committing dacoity and there is  
recovery of one loaded country made pistol from the petitioner.

It has been submitted on behalf of the petitioner that  
petitioner has falsely been implicated in this case and he has  
sufficiently been punished as he is in custody for more than seven  
months.

Heard learned APP also.

Having heard both sides and considering the aforesaid



facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Danapur, in connection with Bihta P.S.Case No. 958 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) 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 reason, the prosecution is free to move for cancellation of his bail.

**(Vinod Kumar Sinha, J)**

spal/-

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