

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31184 of 2017

Arising Out of PS.Case No. -495 Year- 2016 Thana -DANAPUR District- PATNA

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1. Jitendra Kumar, S/o Durga Prasad, resident of Village- Raghurampur,
P.S.- Shahpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : M/s Devendra Narayan Singh and
Sunil Kumar

For the Opposite Party/s : Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 19-07-2017

This application is for grant of regular bail in connection with Danapur P.S. Case No. 495 of 2016 registered for the offence(s) under section(s) 302, 120(B) of the Indian Penal Code and section(s) 25(1-B) a, 26, 35 of the Arms Act.

The petitioner is not named in the FIR. It appears that his name transpired on the confessional statement of co-accused.

Submission of the learned counsel for the petitioner is that the co-accused has confessed that he has concealed his revolver in the house of the petitioner and except that, there is nothing against the petitioner and the informant is eye witness of the occurrence, but he has not named the petitioner and now the petitioner, having clean antecedent, is in custody for about seven months.

Heard learned Additional Public Prosecutor also.

Having heard both sides and in view of the facts and



circumstances, as stated above, this application is allowed.

Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Danapur, Patna in connection with Danapur P.S. Case No. 495 of 2016, 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) 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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