

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51722 of 2018

Arising Out of PS.Case No. -363 Year- 2017 Thana -BARH District- PATNA

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Kanhaiya Kumar S/o Shankar Singh, R/o Vill.- Maranchi, P.S.- Maranchi,
District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar, Adv.

For the Opposite Party/s : Mr. Chandrasen Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-10-2018 Heard learned counsel for petitioner and learned A.P.P.
for the State.

Petitioner seeks bail in Barh P.S. Case No. 363/2017,
registered for the offences punishable under Section 399 and 402
of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of Arms
Act.

On secret information that criminals have assembled
near the Railway Station for committing dacoity, the informant
raided the place. On seeing the police party, criminals tried to flee
away. On chase petitioner and co-accused Gautam Kumar were
apprehended. During search, one loaded country made pistol and
four live cartridges were recovered from possession of petitioner.



It has been submitted that there is no material against the petitioner except his confessional statement before the police. The petitioner has falsely been implicated in this case by the police, as petitioner has criminal antecedent.

Petitioner is in custody since 04.12.2017.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate Ist, Barh, Patna in connection with Barh P.S. Case No. 363/2017, subject to the conditions:

- (1.) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2.) Petitioner shall co-operate in the trial and shall be present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bonds.
- (3.) If the petitioner tampers with the evidence or the witnesses of the case, in that case,



prosecution will be at liberty to move for
cancellation of bail of the petitioner.

(S. Kumar, J)

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