

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19793 of 2019

Arising Out of PS. Case No.-159 Year-2018 Thana- KANHAULI District- Sitamarhi

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Madan Kumar, aged about 20, Gender, Male, Son of Jagannath Rai @
Jagunath Rai Resident of Village - Mahuawa Jagadar, P.S.- Parihar, District-
Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranvijay Singh

For the Opposite Party/s : Mr.Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 02-04-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act.

The prosecution case is that on secret information that some miscreants are planning to commit crime, the police conducted a raid and apprehended four persons including the petitioner. On search, pistol and magazines have been recovered from possession of the accused persons.

It has been submitted on behalf of the petitioner that he is innocent and has falsely been implicated in this case due to



dirty local politics. Nothing incriminating article was recovered from possession of the petitioner. Petitioner has no criminal antecedent and he is in custody since 23.12.2018. Similarly placed co-accused Gautam Chaudhary has already been granted bail by a co-ordinate Bench of this Court vide order dated 07.03.2019 passed in Cr. Misc. No.13431 of 2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Kanhauli P.S. Case No. 159/2018 with following 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

Sanjay/-

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