

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45217 of 2019

Arising Out of PS. Case No.-91 Year-2019 Thana- VAISHALI District- Vaishali

SUMIT KUMAR @ GOLU Son of Avadhesh Gupata Resident of Village-
Jarang Rampur, P.S.- Vaishali, O.P.- Belsar, District- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Barun Kumar Choudhary
For the Opposite Party/s : Mr.Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 25-07-2019

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Vaishali P.S. Case No. 91 of 2019**, instituted for the offence under Section(s) 399, 401, 402 of Indian Penal Code, Sections 25(1-b)a, 26 and 35 of Arms Act.

As per written report Police got information that some criminals had assembled at *Manaura Chowk* near bridge. Police reached the place of occurrence and saw 10-12 persons had assembled there. On seeing the Police party, they started running away. The Police arrested five persons including petitioner, on chase. It is alleged that one country made pistol and one Mobile Phone have been recovered from possession of the petitioner.

Counsel for the petitioner submits that co-accused Abhishek Kumar and Anshu Kumar Singh have already been granted bail by coordinate Benches of this Court vide orders dated 30.4.2019 and 10.5.2019 passed in Cr. Misc. 28575 of 2019 and 31339 of 2019



respectively.

Petitioner is in custody since 9.3.2019 having clean antecedent.

Keeping in view the period spent by the petitioner in custody, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional District & Sessions Judge-X, Vaishali at Hajipur**, in connection with **Vaishali P.S. Case No. 91 of 2019**, subject to the condition that both the bailors will be close relatives of the petitioner with further conditions which are as follows:

(i) Petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court (ii) In absence on two consecutive dates without any valid reason, the bail bonds of the petitioner will liable to be cancelled and (iii) if petitioner tampers with the evidence or the witnesses of the case, in that event, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J)

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