

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54564 of 2019

Arising Out of PS. Case No.-209 Year-2018 Thana- MAHARAJGANJ District- Siwan

HARI OM KUMAR Son of Prabhu Nath Prasad Resident of Village -
Lakhnaura, P.S.- Lakri Nabiganj O.P., P.S.- (Basantpur), District - Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Ansar Ul Haque

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 04-09-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 07.10.2018 in connection with Maharajganj P.S. Case No. 209/2018 registered for the offence punishable under Sections 413/414/34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 Arms Act.

Learned counsel for the petitioner submits that the mobile so recovered was his own mobile and the allegation of recovery of cartridges is but has been super added only to make the charge graver and book him for the offence. He further submits that so far as the antecedents are concerned, he has already been granted bail in the said two cases as both the cases were of false implication. He thus submits that one similarly situated Bablu Kumar Prasad has since been extended the privilege of bail vide order dated 26.04.2019 passed in Cr. Misc. No. 26996 of 2019.



In view of the aforementioned facts and circumstances, let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Siwan, in connection with Maharajganj P.S. Case No. 209/2018, subject to the following conditions:-

(1) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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