

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59812 of 2019

Arising Out of PS. Case No.-2 Year-2019 Thana- MALI District- Aurangabad

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SAURAV KUMAR @ CHHOTU @ SOURABH KUMAR Son of Sheo Ram
Resident of Village - Daltanganj, Bharti Mohalla - P.S.- Daltanganj, Distt –
Palamu.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Leelawati Kumari, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 27-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Mali P.S. Case No. 02 of 2019 registered for the offence
punishable under Sections 399, 402, 414 of the Indian Penal
Code and Section 25(1-b)a, 26, 35 of Arms Act.

The prosecution case as lodged by the police personnel
is that on secret information that some criminals have assembled
and are in possession of a new Scorpio vehicle and arms, the
police conducted a raid and apprehended six persons including
the petitioner. From the possession of other co-accused arms and
ammunition, cash and gold rings were recovered and from the
possession of the petitioner one pistol with three loaded live



cartridges and one gold ring alongwith 30 notes of Rs. 500 was recovered. On confession by the apprehended co-accused they stated that they had robbed jewelry shop and Scorpio vehicle was also stolen one. Accordingly, a seizure list was prepared.

Considering the nature of allegation against petitioner, I am not inclined to grant bail to the petitioner. Accordingly the prayer for bail is rejected at this stage.

However, after one year of custody the petitioner would be enlarged on bail by the court below itself on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Mali P.S. Case No. 02 of 2019 subject to the conditions that:-

(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 sufficient reason the trial court will be at liberty to cancel his bail bond.



(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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