

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.77987 of 2018

Arising Out of PS. Case No.-756 Year-2018 Thana- BETTIAH CITY District- West
Champaran

Prabhat Kumar Singh S/o Mahendra Singh, R/o Vill.- Banuchapar Ward No.
10, P.S.- Banuchapar O.P., District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No.-7

For the Opposite Party/s : Mr.Sri Rajkishore Singh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 08-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Bettiah Town P.S. Case No. 756 of 2018** registered for the offence punishable under Sections 399, 402 and 414 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

Informant who is a police officer in his written complaint has alleged that after receiving confidential information that five miscreants have assembled to commit some grave crime and when he reached there they tried to flee away however, after chase three were apprehended by the police and two managed to escape. From the possession of petitioner one loaded country made pistol



and one stolen motorcycle was recovered from the house of Sushil Ram.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion only. Petitioner has got no criminal antecedent, however, after institution of present case he has been made accused in Bettiah Town P.S. Case No. 838 of 2018 instituted under Section 379 of the Indian Penal Code. Petitioner is in custody since 02.09.2018.

Considering the aforesaid facts and circumstances of the case and the period of custody, let the petitioner named above be released on bail **after completing six months of Jail custody** upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate-Bettiah, West Champaran**, in connection with **Bettiah Town P.S. Case No. 756 of 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)

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