

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69195 of 2019

Arising Out of PS. Case No.-285 Year-2019 Thana- KESARIA District- East Champaran

Pawan Kumar Son of Munna Singh @ Brajkishore Singh Resident of Village
- Dilawarpur Tola Baharna, Telia, P.S.- Kesariya, District - East Champaran
.. ... Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr.Bal Govind Sharma, Advocate
For the Opposite Party : Mr.Murli Dhar, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2019 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under section 394 of the Indian Penal Code read with section 27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case as the FIR is against unknown and he has not even been put on TI parade and nothing incriminating has been recovered from his possession. He further submits that the petitioner has been made accused only on the basis of confessional statement of co-accused Vivek Kumar. Similarly situated co-accused Prince Kumar has already been allowed bail by a bench of this Court vide order dated 18.10.2019, passed in Cr.Mis.No. 65663/2019. Petitioner is in custody since 22.6.2019 having no criminal antecedent. Charge sheet has also been filed in the case, as such, there is no chance of tempering with the evidence.

Learned counsel for the State opposes the prayer for bail.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, 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 the Chief Judicial Magistrate, Motihari, East Champaran in Kesariya Police Station Case No. 285 of 2019, on the following conditions:-

(1) 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.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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