

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76331 of 2019**

Arising Out of PS. Case No.-288 Year-2018 Thana- MUNGER MUFFASIL District- Munger

Sumit Kumar @ Bhim Yadav Son of Late Fuleshwar Yadav @ Fulo Yadav
Resident of Village-Bank, P.S-Mufassil, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER**

2 09-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 288 of 2018, G.R. No. 2419 of 2018 for the offence registered under Sections 147, 148, 149, 341, 323, 354 B, 379, 427, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the entire allegations are false and frivolous. It is further submitted that the main allegation was against one Munna Yadav and not the present petitioner and the story that the petitioner tried to snatch the ear rings of the informant is also false and frivolous. It is further submitted that no such occurrence as alleged ever took place and as a matter of fact, the informant and other



family members had attacked the nephew of the petitioner, namely, Manish Kumar, who has received gun shot injury. It is further submitted that there are no independent witnesses to the occurrence. It is further submitted that co-accused Munna Yadav has already been enlarged on anticipatory bail by this Court vide order dated 29.04.2019 passed in Cr.Misc. No. 26703 of 2019.

In view of the aforementioned facts and circumstances, let the petitioner, above named, in the event of his arrest or surrender before the court below within four weeks, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Munger, in connection with Mufassil P.S. Case No. 288 of 2018, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure, subject to the following conditions:

1. One of the bailors shall be blood relative of the petitioner.
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 his 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 cooperate 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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