

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67538 of 2019**

Arising Out of PS. Case No.-131 Year-2018 Thana- CHANDI District- Bhojpur

Sanjay Kumar @ Sanjay Yadav, aged about 21 years, Male, Son of Bimal Yadav @ Vimal Rai, Resident of Village - Rupchakia, P.S.- Chandi, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anant Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

5 18-12-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Chandi P.S. Case No. 131 of 2018 registered for the offences punishable under Sections 399/402 of the Indian Penal Code and Sections 25(1-b)a/26, 35 of the Arms Act.

Prosecution case in brief is that informant was on patrolling duty and as soon as he reached at main road of Sandesh-Chandi-Sakkaddi he saw one luxury vehicle of white colour standing on the road and Mark of "OM" was framed on back glass of the vehicle and tried to cover the name plate with mud. It has further been alleged that on duty of patrolling



party covered the alleged vehicle from forward then 5 to 6 criminals dropped from the vehicle armed with country made pistol and started to fleeing away.

The petitioner is not named in the F.I.R. The petitioner's name has transpired in the present case on the confessional statement of the co-accused.

Learned counsel for the petitioner submits that there is no any incriminating article has been recovered from the possession of the petitioner. The petitioner is in jail custody since 26.07.2019.

In the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-XII, Bhojpur at Ara in connection with Chandi P.S. Case No. 131 of 2018, subject to the following conditions :

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to



appear on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(3) If the petitioner indulges in an offence of similar
nature in future, the prosecution will be at liberty to move the
learned Court below for cancellation of his bail bonds.

(Anjani Kumar Sharan, J)

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