

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70734 of 2019

Arising Out of PS. Case No.-193 Year-2019 Thana- AMARPUR District- Banka

Shubham Bhattacharya Son of - Arjun Bhaattacharya Resident of Village-
Dumrama, P.S.- Amarpur, District- Banka, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar, Advocate

For the Opposite Party/s : Mr.Arun Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in **Amarpur P.S. Case No. 193 of 2019**, registered for the offence punishable under Section 399, 402 of the Indian Penal Code and section 25(1-b)a, 26 and 35 of the Arms Act.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. Name of petitioner has surfaced in this case on the basis of confessional statement of co-accused Pankaj. Petitioner is not apprehended on the spot. Nothing has been recovered from his possession. There is no material to connect the petitioner with the alleged crime, save and except disclosure made by the co-accused. Other co-accused have been granted bail by different benches of this court vide order dated 09.08.2019 passed in Cr.



Misc. No. 49612 of 2019, order dated 02.08.2019 passed in Cr. Misc. No. 47976 of 2019, order dated 19.09.2019 passed in Cr. Misc. No. 59193 of 2019 and 25.09.2019 passed in Cr. Misc. No. 60963 of 2019. Charge-sheet has already been submitted. Petitioner is in custody since 02.07.2019.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged 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 learned **Chief Judicial Magistrate, Banka** in connection with **Amarpur P.S. Case No. 193 of 2019**, subject to the following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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