

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72921 of 2019

Arising Out of PS. Case No.-328 Year-2019 Thana- BETTIAH CITY District- West
Champaran

MITHUN KUMAR S/o Shiv Mahto R/o village- Purbi Kargahiya, P.S.-
Bettiah Muffasil, District- West Champaran Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rashmi Jha
For the Opposite Party/s : Mr.Ram Sevak Choudhary

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 11-12-2019 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks bail in connection with Bettiah
Town Police Station Case No. 328 of 2019, registered for the
offences punishable under Sections 399/402/411/414 of the
Indian Penal Code and Sections 25 (1-B)a/26/35 of the Arms
Act, 1959.

The allegation against the petitioner is that the police
recovered a loaded country-made pistol from the possession of
the petitioner.

Learned Counsel for the petitioner submits that the
petitioner has falsely been implicated in the present case with
oblique motive. She further submits that the petitioner has got
no criminal antecedent and he is in custody since 27.04.2019.

Having regard to the submissions made on behalf of



the parties and taking into consideration the fact that the petitioner is in judicial custody since 27.04.2019 having no criminal antecedent, I am inclined to enlarge the petitioner on bail.

This application is, accordingly, allowed.

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 learned Chief Judicial Magistrate, West Champaran, at Bettiah, in connection with Bettiah Town Police Station Case No. 328 of 2019, with the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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