

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74914 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- DUMARIAGHAT District- East
Champaran

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Vivek Singh Son of Gorakh Singh Resident of Village - Makri Mahuawa,
P.S.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 414 of the Indian Penal Code and Section 25(1-b)a, 26/35 of the Arms Act.

Informant who is a police officer has alleged that on receipt of a secret information that four miscreants have assembled to commit some grave crime he raided the place however miscreants managed to escape and one apprehended disclosed the name of petitioner as a miscreant who fled away and from his possession a country made loaded pistol with live cartridges were recovered alongwith stolen motorcycle.

It has been submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case and he was



neither apprehended from the place of occurrence or any incriminating material has been recovered from him. It is further submitted that the apprehended accused Rakesh Kumar on whose confession the name of petitioner has surfaced in this case and other apprehended co-accused Mahanth Ram Ratan Das have been granted bail by co-ordinate Bench of this Court vide order dated 01.10.2019 and 21.10.2019 in Cr. Misc. No. 55058 of 2019 and Cr. Misc. No. 56096 of 2019 respectively. Petitioner is in custody since 19.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Dumariyaghat P.S. Case No. 71 of 2019, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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.

(3) 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.

(S. Kumar, J)

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