

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1123 of 2020**

Arising Out of PS. Case No.-350 Year-2019 Thana- KHUSRUPUR District- Patna

Shishu Kumar S/o Shailendra Singh Resident of Village- Isopur, P.S.-
Khusrupur, Distt- Patna ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Akhauri Kamal Kishore Sahay, Advocate
For the Opposite Party : Mr.Pancha Nand Pandit, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 20-02-2020 Heard learned counsel for the petitioner as well as
learned counsel for the State.

Petitioner apprehends arrest in a case registered for the offences punishable under Sections 399/402 of the Indian Penal Code and sections 25(1-B)A, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. Petitioner is not named in the FIR though others have been named therein. His name has come in the case on the disclosure made by the co-accused persons apprehended on the spot. Recovery of arms has been made from co-accused Angesh Kumar and Satwant Singh. Nothing incriminating has come against the petitioner to implicate him with the offence. Petitioner has got no criminal antecedent.

Considering the facts of the case, let the petitioner, above named, in the event of arrest/surrender before the Court below within a period of six weeks from the date of receipt of the order, be released 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 Judicial Magistrate 1st class, Patna



City, Patna in Khusrupur Police Station Case No. 350/2019, on the following conditions:-

(1) 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 on his absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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