

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4097 of 2020

Arising Out of PS. Case No.-85 Year-2019 Thana- IMADPUR District- Bhojpur

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Anish Kumar @ Anil Kumar Son of Vishwanath Singh @ Anil Kumar
Resident of Village-Moapkala, P.S.-Imadpur, District-Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh
For the Opposite Party/s : Mr.Raj Ballabh Singh

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020

Heard learned counsel for the parties.

The petitioner seeks bail in connection with Imadpur P.S.
Case No.85 of 2019 registered for the offence under Sections 399,
402 of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the
Arms Act.

The prosecution case is that while the informant along
with police personnel was on duty on 31.10.2019, he got information
about gathering of accused persons for committing some crime. After
receiving such information, he reached there and saw six persons
including the petitioner standing along with two motorcycles and
they were apprehended after chase. It is alleged that on search, one
loaded country made pistol along with three live cartridges were
recovered from the possession of accused Rohit Kumar @ Lala, for
which all the accused persons including the petitioner have been
made accused in the present case.



It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in the present case. It is also submitted that no incriminating article has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 31.10.2019 having no criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, let the petitioner, named above, 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 learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Imadpur P.S. Case No.85 of 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 his absence on two consecutive dates without sufficient reason, his 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. s

(Prabhat Kumar Singh, J.)

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