

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3493 of 2020

Arising Out of PS. Case No.-642 Year-2019 Thana- MADHAURAH District- Saran

Golu Singh Son of Madan Singh Resident of Village - Atta Dakshin Tola,
P.S.- Marhowra, Distt - Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bishwajeet Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-02-2020 Heard learned counsel for the petitioner and
learned A.P.P for the State.

The petitioner apprehends his arrest in **Marhowra**
P.S. Case No. 642 of 2019 U.T. No. 126/19, registered for the
offence punishable under Sections 399, 302 of the Indian Penal
Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

It is submitted that petitioner has falsely been
implicated in this case. Name of this petitioner has come in this
case on the basis of confessional statement of co-accused
Bajrangi Prasad Yadav from whose possession arms and
ammunitions were recovered. So far as this petitioner is
concerned, there is no recovery from possession of the
petitioner. Save and except confessional statement of co-accused
there is no material against this petitioner. Petitioner has got
clean antecedent.



Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, 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, Saran at Chapra** in connection with **Marhowra P.S. Case No. 642 of 2019 U.T. No. 126/19**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further 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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