

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6257 of 2020

Arising Out of PS. Case No.-230 Year-2019 Thana- BRAHMPURA District- Muzaffarpur

SANTOSH SARRAF @ SANTOSH KUMAR, Son of Arun Sah, Resident of
Village - Damodarpur Chakwarkurba, P.S.- Kanti, Distt - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hari Kishore Thakur
For the Opposite Party/s : Mr.Ram Sumiran Rai

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 02-06-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offence punishable under Sections 402, 399, 412, 414 and 34 of the Indian Penal Code.

Informant who is police officer has stated that on 24.07.2019 while he was on patrolling duty he got information that more than 4-5 criminal have assembled to commit some crime near Krishna Tole and on said information as he reached said place, on seeing police party culprits flee away but one of them namely Ayush Raj @ Kanhaiya was caught by the police,



who disclosed the name of petitioner who is engaged in supplying the Arms and ammunition.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to dirty village politics. Neither petitioner was arrested at the spot nor anything incriminating was recovered from his possession and he has been named by co-accused Ayush Raj @ Kanhaiya in his confession before the police. Co-accused Ayush Raj @ Kanhaiya has been granted bail by co-ordinate bench by this court vide order dated 06.11.2019 passed in Cr. Misc. No. 68675 of 2019. Petitioner is in custody since 20.11.2019 having no criminal antecedent.

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/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Brahampura P.S. Case No. 230 of 2019 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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