

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3977 of 2020

Arising Out of PS. Case No.-557 Year-2019 Thana- HILSA District- Nalanda

Prince Kumar @ Prinsh Kumar @ Prins Kumar Son of Dhuri Yadav @ Dhuri Prasad Resident of Village-Pachasapar, P.S.-Chiksaura, District-Nalanda
... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Rajeev Kumar, Advocate

For the Opposite Party : Mr.Mohammed Arif, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under sections 25(1-b)a/26/35 of the Arms Act.

It is alleged that when the police tried to apprehend three armed miscreants, two of them managed to escape by throwing their country made pistols, whereas accused Aditya Kumar was arrested on the spot who disclosed name of the petitioner as one of his accomplices who managed to escape.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case by the police on the confessional statement of co-accused Aditya Kumar, who was inimical to him. He submits that nothing has been recovered from the conscious possession of the petitioner and he has got no criminal antecedent and he is in custody since 16.12.2019 and said Aditya Kumar, who had been arrested on the spot, has already been allowed bail by the Court below itself as mentioned in para 14 of the bail petition.

In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner,



mentioned 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 the Additional Chief Judicial Magistrate 1, Hilsa Nalanda in Hilsa Police Station Case No. 557/2019, 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, 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.

(Prabhat Kumar Singh, J)

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