

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10437 of 2020

Arising Out of PS. Case No.-679 Year-2019 Thana- SAHARSA District- Saharsa

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BINIT KUMAR @ VINIT KUMAR S/o Manilal Das @ Manilal Das Mani
Resident of Jhapra Tola, Ward No.39, Saharsa, P.S. and Distt- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Harendra Prasad

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 02-03-2020 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

This application for regular bail arises out of

Saharsa Sadar P.S. Case No. 679 of 2019, disclosing the

offences under Sections 399, 401, 414 of the Indian Penal

Code, Sections 25(1-B)a, 26 and 35 of the Arms Act.

The petitioner along with other accused was

arrested by the Police on the allegation that they were

planning to commit dacoity. It appears from the First

Information Report that allegedly a search was conducted

of all persons who were apprehended whereupon, from the

possession of co-accused Deepak Kumar and Raushan



Kumar, pistols and live cartridges were recovered. The petitioner's Motorcycle was also recovered by the Police.

Learned counsel appearing on behalf of the petitioner has submitted that except for the petitioner's presence at the place of occurrence and recovery of Motorcycle which is registered in the name of petitioner's brother, there is no material against him.

Learned counsel for the petitioner has drawn my attention to an order of this Court dated 25.11.2019 passed in Cr. Misc. 75058 of 2019 whereby co-accused Bikash Kumar @ Bikas Kumar @ Vikas Kumar has been allowed regular bail.

Considering the facts and circumstances of the case, this application is allowed. Let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand), with two sureties of the like amount each to the satisfaction of **learned Chief Judicial Magistrate, Saharsa**, in connection with **Saharsa Sadar P.S. Case No. 679 of 2019**, subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of



failure on his part to appear before the court on two consecutive occasions, his bail Bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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