

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13972 of 2020

Arising Out of PS. Case No.-491 Year-2019 Thana- KORHA District- Katihar

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ARJUN KUMAR SHA S/o Jai Ram Sah, R/o Sarifganj, P.S.- Katihar (S),
Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.M.K. Nirala

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 04-06-2020 Heard learned counsel for the petitioner and learned
counsel for the State, Mr. Mritunjay Kumar Nirala through
virtual court proceeding.

In this case, the petitioner is seeking regular bail in
connection with Korha P.S. Case No. 491 of 2019 registered for
offence punishable under sections 399, 402 of the Indian Penal
Code and 26 (1-b) a/26/35 of the Arms Act.

The police on secret information has raised the house
of one Tanweer Alam where the accused persons were planning
for committing robbery and dacoity. The police chased and
apprehended certain persons and they have disclosed the name
of the petitioner.

Learned counsel for the petitioner submits that co-
accused Tanweer Alam, who is said to have assembled for
committing robbery and dacoity, has been granted bail by this



Court in Cr. Misc. No.3127 of 2020 and another co-accused, Sautan Kumar Mandan has also been granted bail by this Court in Cr. Misc. No.10084 of 2020, vide order dated 29.02.2020. He further submits that the case of the petitioner is identical to the case of other similarly situated persons, who have been granted bail, hence the petitioner should also be granted same relief as has been given to the other co-accused.

Looking to the facts and circumstance of the case, the petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Katihar in connection with Korha P.S. Case No. 491 of 2019, subject to the condition that one of the bailors of the petitioner shall be a close relative. The petitioner will not induce any witness or tamper with the evidence. The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court. In case of failure, the prosecution will have liberty to file an application before for cancellation of his bail bond.

(Shivaji Pandey, J)

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