

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 20917 of 2020

Arising Out of PS. Case No.-331 Year-2019 Thana- MANIYARI District- Muzaffarpur

Aman Kumar @ Bhakku (Male) aged about 20 years, Son of Suryadev Ray,
Resident of Village - Madhopur, P.S.- Maniyari, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Shekhar Anand, Advocate
For the State	:	Mr. Raj Ballabh Singh, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 19-08-2020

The matter has been heard *via* video conferencing due to circumstances prevailing on account of the COVID-19 pandemic.

2. Heard Mr. Chandra Shekhar Anand, learned counsel for the petitioner and Mr. Raj Ballabh Singh, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

3. The petitioner is in custody in connection with Maniyari PS Case No. 331 of 2019 dated 20.12.2019, instituted under Sections 399, 402, 414, 467, 468, 471 of the Indian Penal Code and 25(1-B)(a), 26 and 35 of the Arms Act.



4. The allegation against the petitioner and five others is of planning to commit crime and upon chase, the petitioner along with four others were caught and one accused managed to flee and from the petitioner, there is recovery of one mobile, one motorcycle and a dagger.

5. Learned counsel for the petitioner submitted that the motorcycle is in the name of his mother and the mobile phone also belongs to him but because it is more than a year old, he has not retained the purchase receipt of the same. Learned counsel submitted that the dagger has been falsely planted on him. It was submitted that the petitioner having clean antecedent is in custody since 21.12.2019. It was further submitted that co-accused Randhir Kumar, who was also arrested along with the petitioner has been granted bail by a co-ordinate Bench in Cr. Misc. No. 21166 of 2020 on 29.06.2020.

6. Learned APP, from the case diary, submitted that there is recovery of dagger from the petitioner and charge sheet has also been submitted against the accused, including the petitioner..

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs.



25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Muzaffarpur in Maniyari PS Case No. 331 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity, tamper with the evidence or influence the witnesses. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar/ Anand Kr.

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