

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24232 of 2020

Arising Out of PS. Case No.-67 Year-2020 Thana- GWALPARA District- Madhepura

Inkesh Kumar Son of Shailendra Yadav @ Salendra Yadav Resident of
Village- Jairam Parsi, Ward No. 03, P.S. Gwalpara (Arar O.P.), District –
Madhepura ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Praveen Kumar Agrawal, Advocate
For the Opposite Party : S Saama, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-09-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the
offence punishable under sections 399/402 of the Indian Penal
Code and sections 25, 26/35 of the Arms Act.

Two live cartridges are said to have been recovered
from the right side pocket of full pant of the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case as the recovery is false and planted. Nothing incriminating
has been recovered from the conscious possession of the
petitioner. Petitioner has got no criminal antecedent and he is in
custody since 31.5.2020.

In the facts of the case, prayer for bail of the petitioner
is allowed. Let the petitioner mentioned above be enlarged 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
Judicial Magistrate 1st class, Uda Kishunganj, Madhepura in
Gawalpara Police Station Case No. 67 of 2020 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/her absence on two consecutive dates without sufficient reason, his/her 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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