

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27568 of 2020

Arising Out of PS. Case No.-64 Year-2020 Thana- BAKHTIYARPUR District- Patna

SURAJ KUMAR S/o Krishna Yadav @ Krishan Gop Resident of Village-
Madhopur, P.S.-Bakhtiarpur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-10-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Bakhtiarpur P.S. Case No.
64 of 2020, registered for the offence punishable under Sections
399/402 of the Indian Penal Code and sections 25(1-B)a, 26 and
35 of the Arms Act.

As per prosecution case, on secret information seven
accused persons including this petitioner were arrested on the
spot and arms and ammunitions were recovered from their
possession.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. Arms and



ammunitions were recovered from possession of other co-accused persons which is apparent from the seizure list. Charge sheet has already been submitted. Petitioner is in custody since 25.02.2020 having clean antecedent as stated in para 3 of the bail petition.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 learned Additional Chief Judicial Magistrate Ist, Barh, Patna in connection with Bakhtiarpur P.S. Case No. 64 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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