

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27652 of 2020

Arising Out of PS. Case No.-28 Year-2020 Thana- MOTIPUR District- Muzaffarpur

Uday Kumar Rai Son of Rajendra Rai Resident of Village - Bakhara
Ratanpura, P.S.- Motipur, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar

For the Opposite Party/s : Mr.M.K.Khare,APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 20-10-2020 Heard learned counsel for the petitioner as well as
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in Motipur P.S. Case No. 28
of 2020, registered for the offence under Sections 399, 402 of
the I.P.C. and Sections 25(1-B)a, 26 and 35 of the Arms Act.

One country-made pistol with one live cartridge is
alleged to have been recovered from the possession of the
petitioner.

It is submitted on behalf of petitioner that petitioner is
innocent and has been falsely implicated by the police due to
enmity. In this case, chargesheet has already been submitted. It
is stated in paragraph – 3 of the petition that petitioner has no
criminal antecedent and he is in custody since 07-02-2020.

Considering the aforesaid facts and circumstances, the



bail application of petitioner is allowed. Let the above-named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. (West), Muzaffarpur in connection with Motipur P.S. Case No. 28 of 2020 on the following conditions:

“(1) Petitioner shall cooperate 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 absence on two consecutive dates without sufficient reason, his 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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