

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25694 of 2020

Arising Out of PS. Case No.-46 Year-2020 Thana- BAHERI District- Darbhanga

PAPPU KUMAR S/o Hari Nandan Bhagat Resident of Village- Shahpur
Bujurg, P.S.- Patepur, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Jha

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-09-2020 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in Baheri P.S. Case No. 46 of
2020, registered for the offences punishable under Sections 399,
402 of the Indian Penal Code and section 25(1-b)A, 26 and 35
of the Arms Act.

One loaded pistol along with three live cartridges, one
T shape iron instrument and one mobile are said to have been
recovered from possession of this petitioner.

It is submitted that petitioner has been falsely
implicated in this case. Petitioner has got clean antecedent as



stated in para 3 of the bail petition and he is in custody since 19.02.2020. Moreover, co-accused Binesh Sahni @ Binesh Kumar Sahni @ Bhulla has been granted bail by a coordinate Bench of this court vide order dated 08.07.2020 passed in Cr. Misc. No. 21761 of 2020 vide Annexure-2.

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 IX, Darbhanga in connection with Baheri P.S. Case No. 46 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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