

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25547 of 2020

Arising Out of PS. Case No.-12 Year-2020 Thana- CHHAURADANO District- East
Champaran

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SAGAR KUMAR S/o Prabhu SAh @ Prabhu Prasad Resident of Village-
Gyan Babu Chowk, P.S-Town Motihari, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Shakir Ahmad, APP.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-09-2020 . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

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

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Chhauradano PS Case No. 12 of 2020 registered under Sections 399, 402 of the IPC and Section 25(1-b)a, 26, 35 of the Arms Act.

The allegation is that four persons including the petitioner,



has been apprehended by the police officials who have arrived at the place on information regarding assembly of anti social element for committing the crime. One 315 bore live cartridge and a motorcycle has been recovered from the place from where the petitioner has been arrested with other accused persons.

It is submitted that the petitioner is innocent. He has no criminal antecedent and he is in custody since 12.1.2020. He has no connection whatsoever with the recovered motorcycle. The petitioner was a bonafide passersby and has been apprehended on suspicion.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Raxaul Motihari, East Champaran in Chhauradano PS Case No. 12 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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