

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 29953 of 2020**

Arising Out of PS. Case No.-55 Year-2020 Thana- SONBERSA District- Sitamarhi

Gopal Kumar S/O Hira Lal Das @ Hira Das R/O Village- Farchhahiya, P.S.-
Sonbarsa, District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dinesh Jha, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-11-2020 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 section 399 and other ancillary sections of the Indian Penal Code as well as sections 25, 26 and 35 of the Arms Act.

Two live cartridges and one magazine have been recovered from the pocket of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. It is stated in paragraph 3 of the bail petition that the petitioner has got no criminal antecedent and he is in custody since 9.3.2020.

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 Chief Judicial Magistrate, Sitamarhi in Sonbarsa Police Station Case No. 55 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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