

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82746 of 2019

Arising Out of PS. Case No.-739 Year-2019 Thana- AHIYAPUR District- Muzaffarpur

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Bittu Kumar (Male) aged about 24 years, S/o Dilip Singh, resident of Village-
Kolhua, P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Karn, Advocate

For the Opposite Party/s : Mr. Md. Arif, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 07-01-2020

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

2. The petitioner seeks bail in connection with
Ahiyapur PS Case No.739 of 2019 dated 18.06.2019 instituted
under Sections 399, 401, 402, 414 of the Indian Penal Code and
25(1-b)a, 26, 35 of the Arms Act.

3. From the petitioner there is recovery of one loaded
countrymade pistol and a mobile phone.

4. Learned counsel for the petitioner submitted that he
was caught by the police and the recovery has been planted on
him. It was further submitted that the petitioner has not been
caught in the act of committing any crime. It was submitted that
he is in custody since 19.06.2019.

5. Learned APP submitted that the petitioner has been
caught with illegal loaded firearm.

6. Having considered the facts and circumstances of



the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bond of Rs.25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Muzaffarpur, in Ahiyapur PS Case No.739 of 2019, subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J)

J. Alam/-

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