

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86103 of 2019

Arising Out of PS. Case No.-14 Year-2019 Thana- BARH District- Patna

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Bittu Kumar @ Deepak Kumar Son of Bhola Singh Resident of Village -
Berhna, Tola Rampur, P.S.- Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Chandra, Advocate

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 18-03-2020 Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner seeks bail in **Barh P.S. Case No. 14 of 2019**, registered for the offences punishable under Section 394 of the Indian Penal Code and section 27 of the Arms Act.

The informant alleged that on 07.01.2019, after closing his shop, while he was returning to his home on scooty, two persons came on one Apache motorcycle and intercepted him. Thereafter, one person shown him Katta and told that all the things hand over to him which was in the pocket of informant. In the meantime, one person has opened fire, which hit on his stomach.

It is submitted on behalf of petitioner that petitioner has falsely been implicated in this case. FIR is against unknown.



No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. The petitioner is remanded in this case on the basis of confessional statement of co-accused Pratap Singh. Petitioner is in custody since 08.11.2019.

Considering the facts aforesaid, 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 Ist, Barh, Patna** in connection with **Barh P.S. Case No. 14 of 2019**, subject to the 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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