

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13050 of 2021

Arising Out of PS. Case No.-14 Year-2020 Thana- ANGARH District- Purnia

Shibulal son of Sang Lal, Resident of village- Nathuapara, Kathamatha
Police Station Dhanpatganj District- Kishanganj.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Vikram Singh Advocate
For the State : Mr. Mithilesh Kumar Khare APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-07-2021 In view of the sudden resurgence of Covid-19 infection, there is limited functioning of the High Court and, therefore, the matter has been listed today for consideration through virtual mode.

2 Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

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

4. The petitioner seeks bail in Angarh PS Case No. 14 of 2020, instituted for the offence under Sections 414 of the Indian Penal Code and Sections 25 (1-b)a, 26 and 35 of the Arms Act.

5. The police have allegedly received some information that one Sohail @ Sohil who is having criminal antecedents has come to the place, from where, the petitioner has been apprehended for committing some loot along with other co-accused persons. The petitioner is said to be arrested from the same group and there is alleged recovery of a loaded



country made pistol from possession of petitioner.

6. The learned counsel for the petitioner submits that the petitioner bears a clean past. He has no connection with co-accused persons and, even as per prosecution case, there was no information regarding the petitioner. It is further submitted that no crime has been committed by the petitioner. Even as per the prosecution case and based on such recovery, which is not in accordance with law, he is in custody since 08.09.2020.

7. The learned APP representing the State has opposed the prayer for bail.

8. Considering the rival submissions, let the petitioner, above named, be released 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 **CJM Purnea**, in connection with **Angarh PS Case No. 14 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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