

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13959 of 2021

Arising Out of PS. Case No.-616 Year-2020 Thana- BIHTA District- Patna

KUNDAN KUMAR Son of Gorakh Prasad @ Baijanath Mahto @ Gorakh Mahto Resident of Village- Anantpur, P.S.- Naubatpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh

For the Opposite Party/s : Mr.Dr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-07-2021 This matter is taken up for consideration through Video Conferencing under the orders of Hon'ble the Chief Justice.

Heard both parties.

The petitioner seeks bail in Bihta (Neora) P.S. Case No. 616 of 2020, registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, on secret information that some criminals have assembled to commit crime, raid was conducted and three persons including this petitioner were arrested. One loaded country made pistol and one live cartridge has been recovered from possession of petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from possession of this petitioner.



Recovered items are thrown by the accused persons who fled away from the place of occurrence. Petitioner is in custody since 22.08.2020.

Considering the period of custody, 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, Danapur, Patna in connection with Bihta (Neora) P.S. Case No. 616 of 2020, subject to following 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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