

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14881 of 2021

Arising Out of PS. Case No.-204 Year-2019 Thana- SALIMPUR District- Patna

Sumit Kumar aged about 22 years (Male), son of Hareram Yadav, Resident of Chhaperatar, P.S. Pandarak, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opp Party

Appearance :

For the Petitioner : Mr. Sanchay Srivastava, Advocate
For the State : Ms. Pushpa Sinha, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

4 21-10-2021 Heard learned counsel for the petitioner and learned APP
for the State.

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.

The petitioner seeks bail in Salimpur PS Case No. 204 of 2019, instituted for the offence under Sections 467,468,471,414 and 120(B) of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The petitioner is in custody since 15.10.2019. There is alleged recovery of one loaded country made pistol and a motorcycle.

It is submitted by the petitioner's counsel that it is a case



of false implication. Since he has criminal antecedents though it is stated that he is on bail in the four cases pending against him since before. He denies and disputes the recovery and submits that the same is not in accordance with the mandatory procedure.

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

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. 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 Judicial Magistrate 1st Class, Barh in connection with Salimpur PS Case No. 204 of 2019, 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)

shyambihari/-

U		T	
---	--	---	--

