

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 18236 of 2021**

Arising Out of PS. Case No.-383 Year-2020 Thana- MOTIHARI TOWN District- East
Champaran

=====

BIKKI KUMAR @ BABUA Son of Late Sunil Ram Resident of Village-
Sadar Hospital Campus, P.S.- Town, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Umesh Chandra Verma, Advocate
For the Opposite Party/s : Ms Renu Kumari, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 26-10-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor (for brevity, APP) appearing for
the State of Bihar.

The petitioner seeks bail in Town Police Station (for
brevity, *PS*) Case No 383 of 2020 dated 06.07.2020 instituted
for the offence punishable under Sections 399, 402 of Indian
Penal Code and Sections 25 (1-B) A, 26, 35 of Arms Act.

One loaded country made pistol, one live cartridge
and one mobile phone have allegedly been recovered from the
petitioner.

Learned counsel for the petitioner submits that the
petitioner is behind bars since 07.07.2020. The recovery is
denied and disputed. Submission is of false implication.



Though he has antecedents of four cases but he is on bail in all the four cases, as per disclosure made in paragraph 3 of the petition.

Learned APP has opposed the prayer for bail.

Having considered the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, East Champaran at Motihari in connection with Town PS Case No 383 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.

Learned counsel for the petitioner is expected to



honour his undertaking given in the instant proceedings today
for depositing requisite Court fee and removing the defect (s), as
pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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

