

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18855 of 2021

Arising Out of PS. Case No.-653 Year-2020 Thana- KANTI THARMAL POWER District-
Muzaffarpur

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Amit Kumar @ Rahul (male), aged about 19 years, S/O Binod Paswan R/o
village- Kalwari, P.S.- Kanti, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ansul
Mr. Anuj Kumar

For the Opposite Party/s : Mr. Umanath Mishra A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 09-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kanti P.S. Case No. 653 of 2020, registered for the offence under Section 399/402 of the Indian Penal Code and Sections 25(1-b)A, 26, 35 of the Arms Act.

As per the prosecution case, a loaded country-made pistol with .315 bore live cartridge has been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that no arms or ammunition has been recovered from the possession of the petitioner and petitioner has been falsely implicated in this case by police. Petitioner claims clean antecedent and he is in



custody since 30.10.2020. Investigation is complete.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances as well as period of custody and clean antecedent of petitioner, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Special Judge, Muzaffarpur in connection with Kanti P.S. Case No. 653 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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