

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20365 of 2021**

Arising Out of PS. Case No.-134 Year-2020 Thana- SABAUR District- Bhagalpur

Sattan Yadav Son Of Late Moti Yadav Resident Of Village- Bhaigaon
Birnauth, P.S. Goradih, District- Bhagalpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar Jha, Advocate

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 13-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 399 and other ancillary sections of the Indian Penal Code and sections 25, 26/35 of the Arms Act.

One loaded pistol with live cartridge, one mobile phone and cash Rs.1000/- was recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. He is in custody since



18.5.2020. Similarly situated co-accused have already been allowed bail by co-ordinate bench of this Court vide orders passed in Cr.Misc.No. 872/2021, 39022/2020 and 7687/2021.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that similarly situated co-accused have already been allowed bail and petitioner is in custody since 18.5.2020, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Bhagalpur in Sabour Goradih Police Station Case No. 134 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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