

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22060 of 2021

Arising Out of PS. Case No.-221 Year-2020 Thana- KOTWALI District- Patna

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Santosh Kumar @ Mamu Son of Sri Shravan Paswan Resident of Village -
Asoi Lacchiram, P.S. - Bhagwanpur, District - Vaishali (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshansh Ankit

For the Opposite Party/s : Mr. Rajkishore Singh A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kotwali P.S. Case No. 221 of 2020, G.R. No. 2578 of 2020, registered for the offence under Sections 399, 400, 402, 414 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, one pistol alongwith six cartridges have been recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that no arms and ammunition has been recovered from the possession of the petitioner. Though, in paragraph – 3 of the petition, it is stated that petitioner is accused in eight more cases, but out of eight cases, petitioner is on bail in five cases. Petitioner is in custody since 09.05.2020. Investigation is complete.



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

Considering the nature of allegation and period of custody, 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 Judicial Magistrate 1st Class cum Additional Munsif – VIII, Patna in connection with Kotwali P.S. Case No. 221 of 2020, G.R. No. 2578 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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