

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24697 of 2021

Arising Out of PS. Case No.-58 Year-2020 Thana- CHIRAIYA District- East Champaran

SHATRUGHAN KUMAR @ PAWAN KUMAR S/O- SHAMBHU THAKUR
Resident of Village- Partapur, P.S.- Chiraiya, District- East Champaran.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2021 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 399/34 and other ancillary sections of the Indian Penal Code and sections 25/26/35 of the Arms Act.

As per the prosecution case, one country made pistol, two live cartridges and mobile phones are said to have been 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. Petitioner has claimed clean antecedent and he is in custody since 21.2.2020. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this Court vide order dated 10.11.2020, passed in Cr.Misc.No. 24984 of 2020.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the facts and circumstances of the case and the period of custody of the petitioner, 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 Additional Chief Judicial Magistrate, Sikrahana at Dhaka, East Champaran in Chiraiya (Shikarganj) Police Station Case No. 58 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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