

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25571 of 2021

Arising Out of PS. Case No.-368 Year-2020 Thana- MANJHI District- Saran

HIMANSHU PATEL Son of Braj Kishor Singh Resident of Village - Sipara
near Nirma Godam, P.S.- Jakkanpur, Distt.- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Priyedarshi
For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 399, 402 of the Indian Penal Code, u/s 25(1-b)a, 25aa, 26, 35 of Arms Act, and under Section 30 (a) of the Bihar Prohibition & Excise Act.

As per the prosecution case, the informant on secret information that miscreants have assembled in the house of co-accused, Sumit Singh, to commit some occurrence, raided the place and arrested the petitioner along with other accused persons on the spot. On search, one chinese knife was recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case. Petitioner has got clean antecedent and he is in custody



since 19.12.2020.

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

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Sessions Judge-II-cum- Special Judge, Excise Act, Saran at Chapra in connection with Manjhi PS case No. 368/2020 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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