

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28803 of 2021

Arising Out of P.S. Case No.-274 Year-2020 Thana- SAHARSA District- Saharsa

Pranjal Thakur @ Pranjal Kumar Thakur Son of Mrityunjay Kumar Thakur
Resident of At and P.O. M.L.T. College Gate, Kayasth Tola, Ward No. 30, P.S.
and District - Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 10-08-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Saharsa P.S. Case No. 274 of 2020, registered for the offence under Sections 399, 402, 34 of the Indian Penal Code and Sections 25(1-B)A, 26, 35 of the Arms Act.

On a secret information that some miscreants have assembled to commit a crime, a raid was conducted and two persons were arrested on the spot, who disclosed the name of petitioner and others, who fled away from there after seeing the police.

It is submitted on behalf of petitioner that petitioner has not been arrested on the spot and he has been named in the FIR on the basis of confessional statement of co-accused, who were apprehended on the spot. No incriminating article has been



recovered from the possession of the petitioner and save & except confessional statement of co-accused, there is nothing against this petitioner. Petitioner is in custody since 16.09.2020. Chargesheet has been submitted.

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

Considering the aforesaid facts and circumstances, 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 Chief Judicial Magistrate, Saharsa in connection with Saharsa P.S. Case No. 274 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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