

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33395 of 2021**

Arising Out of PS. Case No.-626 Year-2020 Thana- KUDHNI District- Muzaffarpur

Anish Kumar @ Mintu Kumar S/O Sri Dinesh Kumar Singh R/O Village-
Malikapura, P.S.- Goraul, District- Vaishali At Hajipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dilip Kumar Roy, Advocate

For the Opposite Party : Mr. MK Nirala, Addl Public Prosecutor

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

2 03-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399,402,414,120(B) and 34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

Police apprehended a person and recovered a loaded country made pistol, live cartridges and a stolen motorcycle . Said accused person disclosed the name of the petitioner as one who fled away after seeing the police party.

Learned counsel for the petitioner submits that no incriminating material has been recovered from the conscious possession of the petitioner. Petitioner's name has figured during course of investigation in confessional statement of co-accused. Petitioner is in custody since 5.2.2021. Investigation of the case is already complete. Similarly situated co-accused has already been allowed bail by a co-ordinate bench of this



Court vide order passed in Cr.Misc.No. 5465 of 2021.

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

Considering the rival submissions of the parties and the materials available on the record, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate I, Muzaffarpur West in Kudhani Police Station Case No.626 of 2020 with 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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