

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34906 of 2021**

Arising Out of PS. Case No.-492 Year-2020 Thana- UDWANTNAGAR District- Bhojpur

PRAKASH CHAUDHARY S/o Jitendra Chaudhary R/o village- Belaur, P.S.-
Udwanthnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mrs. Renuka Ratnakar, APP

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

2 07-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 386 and some other minor Sections of the Indian Penal Code and u/s 25(1-b)a, 26, 35 of Arms Act.

As per the prosecution case, one country made loaded Katta and live cartridge have been 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 due to criminal antecedent. It is stated in paragraph 3 of the bail petition that though petitioner is accused in 10 other criminal cases but in all cases he is on bail. Petitioner is in custody since 02.01.2021 and investigation in this case is



complete.

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 Chief Judicial Magistrate, Bhojpur, Ara in connection with Udwanthnagar PS case No. 492/2020 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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