

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37512 of 2021**

Arising Out of PS. Case No.-139 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

Happy Kumar Son of Pawan Kumar Singh Resident of Village - Sohansa,
P.S.- Deoriya, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandra Shekhar Anand

For the Opposite Party/s : Mr.Pradeep Narain Kumar

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

2. 21-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Sahebganj P.S. Case No. 139 of 2021, registered for the offence under Section 413, 414 of the Indian Penal Code and Sections 25(1-b)a / 26 / 35 of the Arms Act.

As per the prosecution case, one country-made pistol loaded with .315 bore cartridge and one mobile phone have been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that no incriminating article has been recovered from the possession of the petitioner. In paragraph – 3 of the bail petition, it is stated that petitioner is accused in Sahebganj P.S. Case No. 606 of 2020, but it is registered against unknown and till date, petitioner has not been remanded in this case. Petitioner is in custody since 20.03.2021. Investigation is complete.



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 A.C.J.M. 1st (West), Muzaffarpur in connection with Sahebganj P.S. Case No. 139 of 2021, 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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