

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38638 of 2021

Arising Out of PS. Case No.-100 Year-2021 Thana- AMARPUR District- Banka

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GOPAL KUMAR SINGH @ GOPAL SINGH S/O SAHDEO SINGH
RESIDENT OF VILLAGE-KHAIRA, POLICE STATION-TARAPUR,
DISTRICT MUNGER

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 14-12-2021 Heard learned counsel for the petitioner and learned
APP for the State.

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Amarpur
P.S. Case No. 100 of 2021 registered under Sections 399 and
402 of the Indian Penal Code and Sections 25(1-b)A, 26/35 of
Arms Act.

Since 21.02.2021, petitioner is stated to be in
custody. As per prosecution, he along with other co-accused
was planing to commit a serious offence when they have been



apprehended by the police party. There is alleged recovery of loaded country made *katta*.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case, there is no such recovery from the petitioner and he is in custody since 21.02.2021. There is one case pending against him for offences under the Bihar Prohibition and Excise Act and in which case he is on bail.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka/Successor Court, Banka in Amarpur P.S. Case No. 100 of 2021, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also



undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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