

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39212 of 2021**

Arising Out of PS. Case No.-588 Year-2020 Thana- SHASTRINAGAR District- Patna

Santosh Kumar @ Lallu @ Lallu Kumar S/O Late Ram Pravesh Mahto R/O
Village-Pandarak Station Road, P.S.-Pandarak, District Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishan Jha

For the Opposite Party/s : Mr.Ram Anurag Singh

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

2. 01-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Shastri Nagar P.S. Case No. 588 of 2020, registered for the offence under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, two live cartridge of .315 bore and one mobile phone have been recovered from the possession of the petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from the conscious possession of the petitioner and petitioner has been falsely implicated in this case by the police. Petitioner is in custody since 01.01.2021. 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. - IV, Patna in connection with Shastri Nagar P.S. Case No. 588 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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