

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31050 of 2020

Arising Out of PS. Case No.-146 Year-2020 Thana- MALSALAMI District- Patna

SAURABH KUMAR @ NIKKI, S/o Gopal Sharma Resident of Thataghat
Nagar, P.S.-Malsalami, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kameshwar Singh, Advocate.
For the Opposite Party/s : Mr. Nityanand Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 08-03-2021

Heard the parties.

The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 399 and 402 of the Indian Penal Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and Sections 20 and 22 of the N.D.P.S. Act.

Some other co-accused were apprehended by the police and from their possession fire arm and one Kg. of ganja was recovered. They disclosed to the police that the petitioner was also there who fled away.

Submission is that besides confessional statement of co-accused before the police while in police custody, there is no other material against the petitioner.

Considering the lack of material against the petitioner to compel the petitioner to go to jail, let the petitioner,



above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs. 20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Special Case No. 120 of 2020, Malsalami P.S. Case No. 146 of 2020, subject to the condition as laid down under Section 438 (2) of the Code of Criminal Procedure as well as subject to the following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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