

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.37356 of 2020**

Arising Out of PS. Case No.-83 Year-2020 Thana- PIPRA District- East Champaran

SHIVAM KUMAR, Son of Krishna Sahani, Resident of Village - Bhatha,  
P.S.- Motihari Mufasil, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sangeet Deokuliar

For the Opposite Party/s : Mr.Humayou Ahmad Khan

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      02-02-2021                      Heard learned counsel for the petitioner and learned  
APP for the State.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 414, 399, 402, 120B of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case in brief is that on 11.03.2020 the informant alongwith his team reached near Chintamanpur Bus Stand where he found five persons alongwith two motorcycles talking who after seeing police team tried to flee away but three amongst them were caught. He further alleged that on search



from their person a country made loaded pistol with a cartridge have been recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. There is recovery of one country made pistol and one cartridge from the conscious possession of the petitioner. The petitioner is in custody since 12.03.2020 and has got no criminal antecedent.

Learned APP for the State opposes the prayer for bail petition.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Pipra P.S. Case No. 83/2020, subject to verification about the criminal antecedent of the petitioner.

**(Anjani Kumar Sharan, J)**

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