

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4310 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- SAKRA District- Muzaffarpur

=====

TARUN KUMAR S/O PRALAHAD KUMAR @ PRAHALAD BHAGAT
Resident of Village - Sarmastpur, P.S. Sakra, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra
For the Opposite Party/s : Mr.A.G.

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-03-2021 Heard both parties.

The petitioner seeks bail in Sakra P.S. Case No. 43 of 2020, registered for the offence punishable under Sections 399, 402 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act.

On secret information that some miscreants have assembled near Nemopur Kabristan to commit crime, raid was conducted that 03 miscreants were apprehended and rest three managed to flee away. The apprehended accused persons disclosed the name of this petitioner as one of their associates.

It is submitted on behalf of the petitioner that petitioner has been made accused in this case only on the basis of confessional statement of co-accused. No incriminating article has been recovered from possession of this petitioner.



No test identification parade has been held till date. Similarly situated co-accused persons have been granted bail by different benches of this Hon'ble Court. Petitioner is in custody since 11.06.2020 having clean antecedent, as stated in para 3 of the petition. Chargesheet has already been submitted.

Considering the facts and circumstances of the case and the fact that no incriminating article has been recovered from possession of petitioner coupled with the fact that he bears clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IVth-cum-Sub-Judge, Muzaffarpur in connection with Sakra P.S. Case No. 43 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

