

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4286 of 2021

Arising Out of PS. Case No.-567 Year-2019 Thana- KUDHNI District- Muzaffarpur

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Himanshu Shekhar @ Ayushman Kumar Son Of Arvind Kumar Singh R/O
Village-Patni, P.S.-Ramgadhwa, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

For the Opposite Party/s : Mr. Satyendra Narayan Singh A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4. 19-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kudhani P.S. Case No. 567 of 2019, registered for the offence under Section 394 of the Indian Penal Code and Sections 25(1-b)a/26/35 of the Arms Act.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation on the basis of confessional statement of co-accused Sumant Kumar. No looted article has been recovered from the possession of the petitioner and till date, petitioner has not been put on T.I.Parade. It is further submitted that as per FIR, two persons were arrested on the spot, but they have not disclosed the name of petitioner, as their accomplice, and one person, who was arrested on the spot namely Manish Kumar, has already been granted bail by a



coordinate Bench of this Court, vide order dated 26.11.2019 passed in Cr.Misc. No. 75561 of 2019 (Annexure 3 to the bail petition). It is further submitted that though, in paragraph – 3, it is stated that petitioner has got criminal antecedent and he is accused in seven more criminal cases, but in all the cases, he is on bail. Petitioner is in custody since 06.01.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record, 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 Additional Chief Judicial Magistrate, West, Muzaffarpur in connection with Kudhani P.S. Case No. 567 of 2019, 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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