

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37848 of 2020

Arising Out of PS. Case No.-109 Year-1996 Thana- KOTWALI District- Patna

Gopal Singh Son of late Arun Singh Resident of Village - Sadishopur, P.S.-
Bihta, Distt.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rohit Mishra, Advocate
For the Opposite Party/s : Mr. APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 05-02-2021 Let the defects be removed within four weeks.

Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the
offences punishable under Sections 399/402 of the Indian Penal
Code and Sections 25(1-b)a/26/27/35 of the Arms Act.

Submission is that this is a case of misuse of
privilege of bail. Petitioner was on bail during investigation of
the case. After submission of charge sheet no summons etc.
were served on the petitioner. However, processes were issued
for procuring attendance of the petitioner. When the petitioner
appeared he was sent to jail by the impugned order.

Considering the facts aforesaid, let the petitioner,
above named, be released on bail on furnishing bail bond of



Rs.20,000/- (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 Kotwali P.S. Case No.109 of 1996, with 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 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)

Mkr./-

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