

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40829 of 2020

Arising Out of PS. Case No.-84 Year-2020 Thana- MANSI District- Khagaria

1. Suven Kumar aged about 23 years Son Of Kameshwar Yadav Resident Of Village - Rohiyar, P.S.- Mansi, Distt.- Khagaria.
2. Pankaj Kumar @ Pankaj Sah aged about 21 years Son Of Sanjay Sah Resident Of Village - Rohiyar, P.S.- Mansi, Distt.- Khagaria.

... .. Petitioners

Versus

The State Of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr.Viveka Nand Singh, Advocate

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-02-2021 Heard learned counsel for the petitioners and the State.

Petitioners seek bail in a case registered for the offence punishable under section 307 and other ancillary sections of the Indian Penal Code and sections 25(1-B)a/26/35/27 of the Arms Act.

As per the prosecution case, on secret information in connection with a dacoity case when police raided a place, one co-accused was arrested with country made pistol, whereas other co-accused managed to flee away. Petitioners were arrested later on. Rs.25,650/- and a mobile phone were recovered from petitioner no.1 and Rs.6000/- and a mobile phone were recovered from petitioner no.2.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. Charge sheet has already been submitted. Petitioners are



in custody since 17.3.2020. co-accused Pankaj Kumar who resorted to firing on the police party, has already been allowed bail by a co-ordinate bench of this Court vide order dated 9.2.2021, passed in Cr.Misc.No. 38821 of 2020 and the case of the petitioners are on better footing.

In the facts of the case, prayer for bail of the petitioners is allowed. Let the petitioners, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in Mansi Police Station Case No. 84/2020 on the following conditions:-

(1) Petitioners 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper 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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