

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12228 of 2021**

Arising Out of PS. Case No.-172 Year-2020 Thana- BANMANKHI District- Purnia

Santosh Sharma aged about 30 years S/O Sri Lugaiee Sharma R/O Village
Maknaha, P.S. Banmankhi, District-Purnea

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Dr. Indihar Kumari A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 28-06-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 411 and other ancillary sections of the Indian Penal Code and section 25/26 of the Arms Act.

As per the prosecution case, a pistol and a cartridge were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Petitioner has claimed clean antecedent and he is in custody since 9.7.2020.

Considering the facts and circumstances of the case and the fact that petitioner has got no criminal antecedent, let the



petitioner, mentioned above, 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 Additional Chief Judicial Magistrate I, Purnea in Banmankhi Police Station Case No. 172 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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