

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1682 of 2021

Arising Out of PS. Case No.-50 Year-2020 Thana- BARIYARPUR District- Munger

Gholat Singh son of Late Kailash Singh Resident of Village- Ekashi, P.S.-
Bariyarpur, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Kumar Sinha

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 03-03-2021 Heard learned counsel for the parties.

The petitioner seeks bail in Bariyarpur P.S. Case No. 50 of 2020, registered for the offence under Sections 399, 402 of the Indian Penal Code and Sections 25(1-b)a, 26(1), 35 of the Arms Act.

On a secret information that some miscreants have assembled to commit a crime, a raid was conducted and four persons were apprehended on the spot and three persons managed to flee away. The apprehended persons disclosed the name of petitioner and other two persons, who managed to flee away from the spot.

It is submitted on behalf of petitioner that no incriminating article has been recovered from conscious possession of the petitioner. Petitioner has been named in this



case only on the basis of confessional statement of co-accused, who were apprehended on the spot. It is further submitted that till date, petitioner has not been put on Test Identification Parade and he is in custody since 05.06.2020. Chargesheet has already been submitted.

Considering the aforesaid facts and circumstances as well as nature of accusation, let the above named petitioner 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 learned Addl. Chief Judicial Magistrate-2, Munger in connection with Bariyarpur P.S. Case No. 50 of 2020, 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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