

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1880 of 2021**

Arising Out of PS. Case No.-48 Year-2020 Thana- KURSAILA District- Katihar

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SURAJ KUMAR SAH son of Om Prakash Sah Resident of Hasanganj Road,
Tota Sah Lane Mirjanhat, P.S.- Mujahidpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 12-03-2021 Heard both parties.

The petitioner seeks bail in Kursela P.S. Case No. 48 of 2020, registered for the offence punishable under Section 414 of the Indian Penal Code and sections 25(1-b)a/26 of the Arms Act.

As per the prosecution case, on 07.03.2020 the informant got secret information that some miscreants have assembled to commit loot, thereafter, raid was conducted and two miscreants including this petitioner were apprehended and upon search being made, one country made loaded Katta, mobile and one motorcycle were recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that nothing has been recovered from possession of this petitioner. Petitioner



has been falsely implicated in this case due to local politics. Petitioner is in custody since 08.03.2020. Chargesheet has already been submitted.

Counsel for the State vehemently opposed the prayer for bail and submitted that petitioner has got criminal antecedent.

Considering the period of custody, the petitioner above-named, is directed to 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 the learned Chief Judicial Magistrate, Katihar in connection with Kursela P.S. Case No. 48 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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