

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2836 of 2021

Arising Out of PS. Case No.-268 Year-2020 Thana- AGAMKUAN District- Patna

Shiv Shankar Kumar @ Reyance Kumar aged about 18 years Son Of
Surendra Prasad Resident Of Mohalla - Simli Chutkiya Bazar Branch, P.S. -
Malsalami, District – Patna ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Pramod Kumar, Advocate
For the Opposite Party : Mr. U. Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-03-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in a case registered for the offence punishable under sections 399 and 402 of the Indian Penal Code and 25(1-b)a, 26/35 of the Arms Act.

As per the prosecution case, on secret information that some miscreants are planning to commit some offence, police raided and nabbed four miscreants including the petitioner. Upon search, Police recovered one magazine with live cartridge and a mobile phone from the possession of this 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 and he is simply a commission agent of Transport company. Charge sheet has already been submitted. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 15.4.2020.

Considering the period of custody of the petitioner



and the fact that charge sheet has already been submitted, prayer for bail of the petitioner is allowed. 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 Sessions Judge 16, Patna in Special Case No. 58 of 2020, Agamkuan Police Station Case No. 268 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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