

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6030 of 2022

Arising Out of PS. Case No.-89 Year-2021 Thana- KASBA District- Purnia

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Ankit Sinha @ Ankit Kumar, Son of Subedar Rai, R/o Village- Koshi Colony,
P.S.- K. Hat, District- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 07-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

In the present case, the petitioner seeks bail in connection with Kasba P.S. Case No. 89 of 2021 registered for the alleged offences under Sections 399 and 402 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, police received secret information about some criminals moving in a Tata Tiago vehicle for committing some big crime. Checking of the vehicles was started and the said vehicle was intercepted from which five persons tried to flee away. But they were chased and apprehended. Petitioner is one of the apprehended persons. On search of this petitioner, a loaded pistol along with magazine containing nine live cartridges were recovered. On search of the



vehicle a loaded country made *katta* with one live cartridge was also recovered apart from two live cartridges from the dashboard of the vehicle.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the conscious possession of the petitioner. The vehicle in question does not belong to this petitioner. The witnesses on the seizure list are all police personnel and are member of raiding party. Other co-accused persons have been granted bail and one co-accused, namely, Satish Kumar has been granted bail by this Court vide order dated 30.08.2022 passed in Cr. Misc. No. 64992 of 2021. The petitioner is in custody since 13.05.2021 and the charge-sheet has been submitted in this case.

Learned APP opposes the prayer for bail submitting that the petitioner was apprehended with live cartridges and he is having a number of cases pending against him.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner as well as submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/-



(twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Purnea in connection with Kasba P.S. Case No. 89 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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