

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11882 of 2022

Arising Out of PS. Case No.-122 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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SUBHAM KUMAR S/o Manoj Kumar @ Manoj Singh Resident of Village-
Pahsara, Babhangama, P.S.- Nawkothi, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sada Nand Roy
For the Opposite Party/s : Mr.Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Nawkothi P.S. Case No. 122 of 2021 registered for the offences

punishable under Sections 399, 402, 414 of the Indian Penal

Code read with Sections 25(1-B)a, 26 and 35 of the Arms Act.

As per prosecution case, informant and others went

for conducting raid. It is further alleged that some miscreants

was about to commit big occurrence. It is further alleged that as

per seizure list two mobiles have been recovered from the

possession of the present petitioner.



Learned counsel for the petitioner submits that petitioner is in custody since 28.08.2021. Petitioner bears criminal antecedent of four cases. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that seizure list has not been made as per law and the petitioner has falsely been implicated in the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Rajiv Ranjan learned Judicial Magistrate, 1st Class, Begusarai in connection with Nawkothe P.S. Case No. 122 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn



the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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