

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20187 of 2022

Arising Out of PS. Case No.-59 Year-2021 Thana- AHIYAPUR District- Muzaffarpur

PRINCE KUMAR @ AYUSH RAJ S/o Ram Babu Singh @ Jogai Singh
Resident of Village - Harser, P.S.- Shivaipatti, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 12-07-2022 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in a case registered for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act read with under Section 20/22 of N.D.P.S. Act.

Informant has alleged that while he alongwith other police party proceeded to patrolling duty and checking of vehicles and reached at Medical Over-bridge and started checking of vehicles, in that course, three persons sitting on a motorcycle were seen coming from Sitamarhi direction and as the informant signaled them to stop, they started to flee away but they were nabbed. The apprehended persons disclosed their names as Prince Kumar @ Ayush Raj (petitioner), Prince Kumar

and Dhananjay Kumar and from possession of petitioner, one country made pistol, two live cartridges and a white colour Samsung mobile was recovered.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to high handedness of police. Nothing has been recovered from the possession of petitioner. Similarly placed co-accused, namely, Prince Kumar and Dhananjay Kumar have already been granted bail by a co-ordinate Bench of this Court as contained in Annexure-2. Petitioner is in custody since 26.01.2021.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge, Muzaffarpur, in connection with N.D.P.S. Case No. 08 of 2021, arising out of S Ahiyapur P.S. Case No. 59/2021 subject to conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-

operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) 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.

(S. Kumar, J)

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