

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38580 of 2021**

Arising Out of PS. Case No.-466 Year-2020 Thana- BEGUSARAI MUFFASIL District-
Begusarai

Monu Kumar S/O Bhola Singh R/o village- Khamhar, P.S.- Muffasil, District-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Adv.

For the Opposite Party/s : Md. Shakir Ahmad, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 19-01-2022 The matter has been listed today for consideration
through virtual mode.

Heard learned counsel appearing on behalf of the
petitioner as well as learned Additional Public Prosecutor
appearing for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 14.09.2020 seeks
bail in connection with Begusarai Muffasil P.S. Case
No.466/2020 registered for the offence punishable under
Section 414 IPC and 25(1-B)(a) 26(2) 35 Arms Act.

Prosecution case in brief, is that one S.I. Amit Kumar
Kant on 13.09.2020 was on his routine duty along with police
personnel seeing the police party then three persons on bike



tried to escape. On suspicion they were apprehended and then one country-made pistol, one 0.315 bore, one motorcycle bearing registration no.BR09AE-7925, one vivo mobile phone were recovered.

Learned counsel appearing on behalf of the petitioner submits that nothing has been recovered from his conscious possession. A motorcycle bearing registration no.BR09AE-7925 belongs to some one another co-accused, it do not belong to the petitioner. Petitioner is in custody since 14.09.2020 and has been implicated in this at the instance of his enemy. There is no evidence against the petitioner and other co-accused has been released on bail.

Learned APP for the State vehemently opposes the prayer for grant of bail to the petitioner.

Considering the above-mentioned facts and circumstances of the case and period of custody of the petitioner as well as charge sheet has already been submitted in this case, the petitioner, above named, be released on bail on furnishing bail bond of Rs.1,00,000/- (Rupees One Lac Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Begusarai in connection with Begusarai Muffasil P.S. Case No.466 of 2020, subject to the



following conditions:

(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.

(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.

(4) The petitioner is directed to make his attendance before the local police station everyday at 09:00 AM. The SHO is directed to submit a copy of the attendance register to the Superintendent of Police, Begusarai and in case of single default the bail bond of the petitioner shall be cancelled.

(Purnendu Singh, J)

Prakash Narayan /-

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