

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43009 of 2021

Arising Out of PS. Case No.-1032 Year-2020 Thana- FORBESGANJ District- Araria

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AMIT KUMAR SARDAR @ BALWANT SARDAR Son of Gunesh Sardar
@ Umesh Sardar Resident of Village - Lati, P.S.- Shankarpur, Distt.-
Madhepura. At present Village - Jainagar, P.S.- Chhataqpur, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Jai Narain Thakur

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CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 02-02-2022 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with Forbesganj Police Station Case No. 1032 of 2020, registered for the offences punishable under Section 414 of the Indian penal Code and Sections 25 (1-b)a/26/35 of the Arms Act.

The prosecution case, as per the First Information Report, is that the police got a secret information that four miscreants, riding on two motorcycles without any number plate, were planning to commit loot, proceeded towards the place of occurrence and saw that one person was standing with black-coloured Splendor motorcycle without any number plate and on chase the police apprehended that person, who disclosed



his name as Amit Kumar Sardar, i.e. the petitioner, and from other co-accused persons, motorcycle, fire arms were recovered.

Learned Counsel for the petitioner submits that the petitioner has falsely been implicated in this case while he was standing in the market place in relation to his work and he has not committed any offence in the manner alleged. He further submits that the petitioner has no concern with the seized motorcycles and the same has not been recovered from his conscious possession. He further submits that co-accused persons, namely, Manish Kumar Sah (Criminal Misc. No. 31426 of 2021) and Dinesh Sardar (Criminal Misc. No. 32150 of 2021) have been granted bail by this Court. He further submits that the petitioner is in custody since 29.12.2020 and charge sheet has been submitted against him and as such, there is no likelihood that the petitioner will abscond and/or tamper with the evidence.

Regards being had to the submissions advanced on behalf of the parties concerned and taking into consideration the materials available on record and the fact that similarly situated co-accused persons have been granted bail by this Court, charge sheet has already been submitted, the petitioner is in custody since 29.12.2020 and there is no likelihood of the trial being concluded in near future due to pandemic, I am inclined to grant



regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, 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, Araria, in connection with Forbesganj Police Station Case No. 1032 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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