

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34927 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- SINGHESHWAR District- Madhepura

BIPIN KUMAR @ VIPIN KUMAR S/O- SUDHESHWAR CHAUHAN R/O
VILLAGE- RUPAULI WARD NO. 2, P.S.- GAMHARIYA, DISTRICT-
MADHEPURA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-09-2022 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 in virtual court proceeding.

The petitioner seeks bail in connection with Singheshwar P.S. Case No. 91 of 2022 registered for the offences punishable under Sections 399, 402 of the I.P.C. and Sections 25(1-B)a, 26, 35 of the Arms Act.

As per prosecution case, informant received secret information that five persons along with arms have been planning for loot. The petitioner and others have been apprehended on the spot. On search one Vivo mobile was recovered from the possession of the petitioner.



Learned counsel for the petitioner submits that petitioner is in custody since 21.04.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no incriminating article has been recovered from the possession of the petitioner and he has been falsely implicated in this case. The petitioner is the owner of the said mobile.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case 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 on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura in connection with Singheshwar P.S. Case No. 91 of 2022, 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 without appropriate permission, 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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