

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46910 of 2021

Arising Out of PS. Case No.-105 Year-2021 Thana- GOVINDGANJ District- East
Champaran

SATYAM KUMAR S/O SURESH MAHTO R/o village- Sarottar Bazar, P.S.-
Dumariya Ghat, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate.
For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 23-03-2022 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Govindganj P.S. Case No. 105 of 2021 for the offence
punishable under Sections 399 and 402 of the Indian Penal Code
and Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case, in brief, is that on secret
information when the police party reached near Marachiya Devi
Bridge, seeing the police, five persons started to flee away. On
chase one of them was apprehended who disclosed his name as



Satyam Kumar (petitioner) and on search one country made pistol and four live cartridges were recovered from his possession and also several incriminating articles were recovered from the place of occurrence.

Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case. Nothing has been recovered from conscious possession of the petitioner. Petitioner has clean antecedent and is in custody since 28.03.2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation against the petitioner and period of custody, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Motihari, East Champaran in connection with Govindganj P.S. Case No. 105 of 2021, 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) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) **The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically loose its force.**

(Purnendu Singh, J)

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