

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40941 of 2022

Arising Out of PS. Case No.-294 Year-2021 Thana- TEGHRHA District- Begusarai

SAURAV KUMAR @ PALU @ PALLU @ PON @ POLU S/o Late Niraj
Singh R/o Village - Bajeetpur, Pidhauri Ward No. 11, P.S.- Teghra, District -
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav

For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-09-2022 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.

The petitioner seeks bail in connection with Teghara
P.S. Case No. 294/2021 registered for the offences punishable
under Sections 399,402, 414 of the Indian Penal Code and
Sections 25(1-AA) / 25(1-b)a/ 26 / 35 of the Arms Act.

As per prosecution case, there is alleged recovery of
one country made pistol as well as one live cartridge from the
possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this



case due to dirty village politics. The petitioner was not present at the place of occurrence. The petitioner is languishing in custody since 29.09.2021 and bears criminal antecedent of one case in which he is on bail. Learned counsel for the petitioner further submits that charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence. Co-accused, Nikesh Kumar @ Dhindha has already been granted bail by the co-ordinate Bench of this Court vide Cr. Misc. No.31676/2022 and the case of present petitioner stands on similar footing.

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

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Begusarai in connection with Teghara P.S. Case No. 294/2021, 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)

amitkumar/-

U		T	
---	--	---	--

