

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50711 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- DARPA District- East Champaran

PRINCE KUMAR S/O MANOJ SINGH R/o village- Bhaluahiya, P.S.-
Adapur, District- East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Kumar, Adv.

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Darpa P.S.Case No. 39 of 2021 registered for the offence under Sections 399, 402, 413 and 414 of the Indian Penal Code and Sections 25(1-B)a/26/35 of the Arms Act.

According to the prosecution case, on Gasti police personnel got information that some miscreants were assembled in Orchard at Village-Dubaha. After seeing police party, they were tried to flee away but with the help of villagers, they were apprehended.



Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the seizure list that one live cartridge and one motorcycle has been recovered from the possession of the petitioner. He further submits that co-accused, namely, Bittu Singh @ Bittu Kumar Singh has been granted privilege of bail vide order dated 20.12.2021 in Cr. Misc. No. 49065 of 2021 by a Coordinate Bench of this Court. Petitioner is in custody since 02.04.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Raxaul at Motihari in connection with Darpa Police Station Case No.39 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and



on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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