

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51997 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- UCHKAGAON District- Gopalganj

Umakant Gupta @ Mithu, Son of Hanhar Sah Resident of Village- Jamsar,
P.S.- Uchakagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Adv.

For the Opposite Party/s : None

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 01-04-2022 Heard learned counsel for the petitioner through video conferencing.

The petitioner is an accused under Section 399, 402 and 414/34 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

As per the FIR upon secret information that one Saddam Nut and Nitish Kumar @ Nehal along with their associates are making preparation for committing offence in the railway underpass situated in village-Siswania, they proceeded towards the place in question and found some persons gathered there. They were surrounded and a search was made where-after different incriminating articles were seized from their respective person.

So far as this petitioner is concerned, it is submitted by the learned counsel for the petitioner that allegation against



him is that upon search of his person, live cartridge and some mobile were recovered. It is in this way that his arrest was made and is in judicial custody since 28.05.2021.

Taking into account the aforesaid facts as also that he has remained in judicial custody since 28.05.2021, I am inclined to grant the privilege of bail to the petitioner. However, in view of the fact that he was an accused in earlier case also it is necessary that conditions are imposed while granting the bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each in connection with Uchakagaon P.S. Case No.160 of 2021 to the satisfaction of learned Additional Chief Judicial Magistrate, IXth, Gopalganj with the following conditions:

(i) one of the bailor should be the family member of the petitioner and will produce official document to show his bonafide;

(ii) he shall ensure his presence in the pending trial on each and every date and failure to do so for two consecutive dates without plausible reason, the State shall be at liberty to initiate the process for cancellation of his bail;

(iii) he shall visit the local police station every



fortnight for three months to mark his presence;

With the aforesaid observation the bail application is
allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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