

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43678 of 2022

Arising Out of PS. Case No.-482 Year-2021 Thana- DUMRA District- Sitamarhi

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SUJEET KUMAR S/o Yogendra Das R/o village- Simra, Paraspatti, P.S.-
Dumra, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-11-2022 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 Dumra
P.S. Case No. 482 of 2021 registered for the offences punishable
under Sections 399, 402 of the Indian Penal Code and Section
25(1-B)a, 26, 35 of the Arms Act.

As per prosecution case, one loaded country made
pistol alongwith one live cartridge was recovered from the
possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 07.12.2021 and bears criminal
antecedent of one case . Charge sheet has been submitted in the



case and there is no likelihood of tampering with the prosecution evidence. He further submits that there is no compliance of Section 100 of Cr.P.C. Seizure list has not been made as per law. He further submits that petitioner is quite innocent and falsely implicated in the case.

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 been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides 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, Sitamarhi in connection with Dumra P.S. Case No. 482 of 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)

vashudha/-

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