

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57936 of 2021

Arising Out of PS. Case No.-108 Year-2021 Thana- MINAPUR District- Muzaffarpur

UTTAM KUMAR S/O Shyam chandra Singh Resident of Village - Narha,
P.S. - Suppi, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Anjana

For the Opposite Party/s : Mr.Arun Kumar Singh

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Minapur P.S.
Case No. 108/2021 registered for the offences punishable under
Sections 307, 393 I.P.C. and 25(1-b)a/26/27/35/37 Arms Act.

The prosecution case, in brief, is that the informant
alleges that on 23.03.2021 he was going to deposit cash of Rs.
8,60,440/- in SBI, Minapur. On the way three motorcycle borne
criminals overtook him and started snatching the bag upon
which he raised alarm and in that course, one of the miscreants



fired which hit on left palm of his hand and even then he made struggle and ultimately caught one miscreant while others fled. The apprehended accused disclosed his name Uttam Kumar (petitioner).

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that in the seizure list, recovery of one cartridge, one empty cartridge and mobile has been shown from possession of the petitioner but as a matter of fact nothing has been recovered from conscious possession of the petitioner. Petitioner is in custody since 27.03.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Muzaffarpur in connection with Minapur P.S. Case No. 108/2021, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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