

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49266 of 2022

Arising Out of PS. Case No.-90 Year-2022 Thana- DUMRA District- Sitamarhi

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Ankit Kumar, aged about 22 years, male, Son of Sudheshwar Thakur Resident
of Village - Hari Chhapra, P.S.- Dumra, Distt.- Sitamarhi (Bihar)

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Ajay Kr Singh No.1, Adv.
For the State : Mr. Mohammad Arif, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 09-12-2022 This matter has been taken up today for consideration
through video conferencing.

Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in connection with *Dumra PS*
Case No. 90 of 2022 registered for the offence punishable under
Sections 399 and 402 of the Indian Penal Code and Sections
25(1-B), 26 and 35 of the Arms Act.

The petitioner is said to be one amongst the persons who
were fleeing on arrival of the police. The police has come on
receiving information regarding planning of a robbery being
done. There is recovery of one loaded country made pistol and
live cartridge.

Learned counsel for the petitioner submits that it is a false



case. Being an innocent passerby, the petitioner has become a victim of the circumstance. Seizure is not in accordance with law. The petitioner is stated to be in custody since 01.03.2022 and he is on bail in *Minapur PS Case No. 348 of 2019*, pending against him since before.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 *CJM Sitamarhi*, in connection with *Dumra PS Case No. 90 of 2022*, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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