

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29966 of 2023

Arising Out of PS. Case No.-418 Year-2022 Thana- SULTANGANJ District- Bhagalpur

SINTU KUMAR Son of Late Bhim Yadav R/o village - Ghat Road,
Sultanganj, P.S.- Sultanganj, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Davendra Kumar Pandey

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 13-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Sultanganj P.S. Case No. 418 of 2022 registered for the offences
punishable under Sections 25(1-b)a, 26/35 of Arms Act.

As per prosecution case, there is alleged recovery
of one live cartridge from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.11.2022. Petitioner bears four
criminal antecedents. Charge sheet has already been submitted
in the case and there is no likelihood of tampering with the
prosecution evidence. Learned counsel further submits that the
petitioner is innocent and has falsely been implicated in the
present case. Nothing has been recovered from the possession of



the petitioner and on account of group rivalry the petitioner has been made accused in the present case. No procedure of Section 100 Cr.P.C. has been followed.

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 as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of the parties 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 A.C.J.M., 1st, Bhagalpur in connection with Sultanganj P.S. Case No. 418 of 2022, 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)

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