

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42171 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- PUSA District- Samastipur

ANMOL KUMAR son of Abdhesh Das @ Abdhesh Kumar Village- Harpur
Pusa Ps- Pusa Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jitendra Narain Sinha
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Pusa
P.S. Case No. 59 of 2023 registered for the offences punishable
under Sections 399 and 402 of the Indian Penal Code read with
Sections 25(1-B)A/26/35 of the Arms Act.

3. As per prosecution case, there is alleged
recovery of one country made pistol alongwith two live
cartridges and one mobile from the possession of the petitioner.

4. Learned counsel for the petitioner submits that
petitioner is in custody since 20.05.2023 and bears no criminal
antecedent. Learned counsel for the petitioner orally submits



that charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no incriminating article has been recovered from the possession of the petitioner.

5. The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, 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, Samastipur in connection with Pusa P.S. Case No. 59 of 2023, 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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