

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63048 of 2022

Arising Out of PS. Case No.-345 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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BARUN KUMAR S/O MAHENDRA SHARAM Resident of village- Sharma
Tola Ulao, P.S.- Muffasil (Singhoul), District- Begusarai ... Petitioner
Versus

The State of Bihar ... Opposite Party

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Appearance :

For the Petitioner : Mr.Arjun Prasad, Adv.
For the Opposite Party : Mr.Shailendra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail in connection with
Muffafsil P.S. Case No. 345 of 2022 lodged under Sections 399,
402 and 34 of the Indian Penal Code and 25(1-B)a, 26 and 35 of
the Arms Act.

As per the prosecution the allegations relating to
dacoity and Arms Act in furtherance of common intention are
there in the first information report.

Counsel for the petitioner submits that from the first
information report and the seizure list it transpires that the
recovery of arms has caused from the possession of accused
Suraj Kumar. Counsel further submits that there is neither any
recovery from the petitioner nor he was apprehended by the
police. Counsel further submits that the said Suraj Kumar has
been granted bail by the coordinate Bench of this Court in Cr.



Misc. No. 65810 of 2022 on 25.02.2023.

Counsel submits that there is one criminal antecedent against the petitioner and he is in custody since 03.07.2022.

Counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, the petitioner, named above, be released on bail on furnishing bail bond of Rs.30,000/- (rupees thirty thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Begusarai, in connection with above mentioned case subject to the conditions laid down under Section 437(3) of the Criminal Procedure Code with other following conditions :

A) The petitioner shall support in the trial and shall appear physically before the lower Court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

(B) One of the bailors shall be close relative who shall file affidavit before the Court about his relationship with the petitioner and

(C) The petitioner shall file an affidavit at the time of furnishing bail bond that he shall not involve in such criminal



activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

Shamshad/-

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