

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68430 of 2023

Arising Out of PS. Case No.-212 Year-2023 Thana- PARSA District- Saran

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Amit Kumar Son of Anil Kumar R/o vill - Bharat Milap Chauraha, P.s. -
Gorakhnath, Distt. - Dewariya (U.P)

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Parsa P.S. Case No. 212 of 2023, lodged on 11.07.2023, under
Sections 399/402/414/34 of the I.P.C. and under Sections 25(1-
b)A/26/35 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against seven named accused persons, who were caught by the
police upon chase. It has also come in the FIR that from the
possession of the petitioner one *Desi Katta* and one live
cartridge along with mobile have been recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that his name has been figured in this case at the instance of



police. Counsel submits that petitioner is in custody since 12.07.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the one *Desi Katta* and one live cartridge have been recovered from the possession of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail **only after framing of the charge** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IX, Saran at Chapra, in connection with Parsa P.S. Case No.212/2023, subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;



(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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