

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33187 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- PAROO District- Muzaffarpur

Sipin Kumar @ Sipin Yadav, Son Of Shambhu Rai @ Shambhu Ray, Village-
Delua @ Deluwa, P.S.- Paroo, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar, Advocate

For the Opposite Party/s : Mr.Manoj Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 01-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Paroo
P.S. Case No. 18 of 2024 instituted for the offences under
Sections 399, 402 and 414 of the Indian Penal Code and Section
25(1-b)A, 26 and 35 of the Arms Act.

3. Prosecution allegation, in short, is that on receiving
a secret information regarding assembly of armed criminals on
three motorcycles near the pond of Harihar bhikkhi and
planning to commit some crime, when the informant reached at
the spot, seeing the police the criminals riding on motorcycle
started running away but on chase four of them were
apprehended while three of them managed to escape. On search,



from the possession of apprehended accused persons, country made pistols, live cartridges, motorcycles and some money have been recovered. Further, the accused persons disclosed the name of petitioner and other accused persons as of their associates.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to local village politics. Neither the petitioner was arrested on the spot nor any incriminating material has been recovered from his conscious possession. As per seizure list, two motorcycles have been recovered from the house of petitioner, but one motorcycle's document has been produced by the petitioner and second motorcycle belongs to friend of the petitioner. There is no compliance of Section 100 of Cr.P.C. in preparing the seizure list. Charge-sheet has been submitted in this case. The petitioner is in judicial custody since 19.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayed for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two



sureties of the like amount each to the satisfaction of the Court below/concern Court in connection with Paroo P.S. Case No. 18 of 2024, subject to the following conditions:-

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every dated fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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