

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43333 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- BARARI District- Katihar

Shivjee Gupta @ Shivjee Kumar Gupta @ Shivjee Kumar Son of Ambika Gupta @ Ambika Das R/O Sirkatta, Sikkat, P.S.- Barari, (Semapur O.P.), Dist.- Katihar

... .. Petitioner/s

Versus

The State Of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Barari (Semapur) P.S. Case No. 66 of 2024 dated 25.02.2024 registered for the offence/s punishable u/ss 399, 402 of the Indian Penal Code and section 25(1-b)A, 26, 35 Arms Act.

3. As per the prosecution case, on seeing the police party, four miscreants started fleeing away but they were apprehended while they were making preparation to commit dacoity. The apprehended persons disclosed their names as Md. Ekbal, Rejabul Ansari, Md. Naim Ansari, Shivji Kumar



Gupta and Nihal Alam.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. Similarly situated co-accused has already been granted bail by the co-ordinate bench of this court *vide* order dated 10.06.2024 passed in Cr. Misc. No. 40799 of 2024. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.02.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Katihar in connection with Barari (Semapur) P.S. Case No. 66 of 2024, with a condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without



reasonable cause, the bail bond of the petitioner is liable to
cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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