

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51232 of 2024

Arising Out of PS. Case No.-56 Year-2024 Thana- DARIYAPUR District- Saran

SHIVAM KUMAR SON OF VIJENDRA RAM @ VIRENDRA SINGH
RESIDENT OF VILLAGE- PANAPUR DILWARPUR, P.S.- BIDUPUR,
DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar Ojha
For the Opposite Party/s : Mr.Murli Dhar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 29-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Dariyapur P.S. Case No.
56 of 2024 registered for the offence punishable under Sections-
379, 411, 465, 468, 471, 34 of the Indian Penal Code and
Section-25(1-B)(a), 26, 35 of the Arms Act.

3. Allegedly, the police apprehended the black colour
Apachee motorcycle on which, co-accused Sunny Kumar and
the petitioner were moving. A country-made pistol and some
cartridges were recovered from possession of the petitioner and
also from possession of co-accused Sunny Kumar.

4. Learned counsel for the petitioner has submitted
that the petitioner is innocent and he has falsely been implicated
in this case. Nothing has been recovered from possession of the



petitioner. The police has dragged this petitioner in the present case taking the advantage of criminal antecedent of the petitioner. He is in custody for near about six months.

5. Learned APP has opposed the prayer for bail.

6. Considering the aforesaid facts and circumstances, as well as period of custody, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Anand Prasad, learned Judicial Magistrate-Ist Class, Saran at Chapra in connection with Dariyapur P.S. Case No. 56 of 2024 with condition that the petitioner shall cooperate with the trial of the case and make himself available as and when required by the court.

7. Before accepting the bail bond of the petitioner, the learned court below shall verify the criminal antecedent of the petitioner and if the petitioner is found involved in any case other than the cases which have been mentioned in paragraph-3 of the petition, his bail bond shall not be accepted.

(Nawneet Kumar Pandey, J)

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