

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.425 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- SAHEBGANJ District- Muzaffarpur

MUNNA KUMAR SON OF UPENDRA PATEL @ OPENDRA PATEL
RESIDENT OF VILLAGE - HALIMPUR, P.S. - SAHEBGANJ, DISTRICT -
MUZAFFARPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rahul Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Sahebganj P.S. Case No. 270 of 2023 instituted under Section 399, 402, 414 of the Indian Penal Code and 25(1-b)a, 26, 35 of the Arms lodged on 22.6.2023 by the informant, Rajesh Ranjan.

3. As per the prosecution story, the informant alleged that upon secret information, they raided the 'Devsar Dak Devi Sthan' and some accused persons were found sitting in a suspicious manner. Although, some accused managed to escape, the others were apprehended and upon search, three cartridges and a purse as also loaded country made pistol recovered/seized. They gave the name of the persons who escaped, the petitioner



being one of them.

4. Learned counsel for the petitioner submits he is a student, has no role to play in the matter and the police only on the forced confession of the other apprehended accused persons implicated him.

5. Learned APP opposes the prayer for bail.

6. Taking into account the submissions put forward by the parties as also that he is 19 years old student, FIR lodged, will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sahebganj P.S. Case No. 270 of 2023 to the satisfaction of learned court of 4th Judicial Magistrate 1st Class, Muzaffarpur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

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

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

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

