

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22972 of 2019

Arising Out of PS. Case No.-83 Year-2018 Thana- LAUKARIA District- West Champaran

SUJEET KUMAR, aged about 35 years, Male, Son of Sri Ramesh Paswan
Resident of Village- Bhatauliya, P.S.- Paru, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Prasad Singh, Advocate
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 15-04-2019 Heard the learned counsel for the petitioner and
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since 27.09.2018 in connection with Laukariya P.S.Case No.83 of 2018 for the offence alleged under Sections 25(1-b)A and 26 of the Arms Act, Sections 3/4 of the Explosive Substances Act and Sections 16, 17, 18, 20, 22 and 23 of the UAP Act.

The prosecution case as lodged by the police personnel is that on secret information that some persons are planning to commit crime, the police arrived at the place and apprehended four persons including the petitioner. On search from the possession of the petitioner one automatic pistol with four cartridges were recovered and from the other co-accused Renu Devi four electronic detonators were recovered.



Accordingly, a seizure list was prepared.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that no overt-act to have been committed by the petitioner and chargesheet has already been submitted, there being no allegation of tampering with the prosecution evidence/witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not bear a clean antecedent and one more case for serious offence is pending against the petitioner.

Considering the nature of allegations and that chargesheet has already been submitted, let the petitioner, above named be released on bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Laukariya P.S.Case No.83 of 2018 to the satisfaction of Sri Firoz Akram, Judicial Magistrate-Ist Class, Bagaha, West Champaran, subject to the following conditions:-

(i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.



(ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned Court below for cancellation of his bail bonds.

(Nilu Agrawal, J)

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