

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 78125 of 2019

Arising Out of P.S. Case No.-402 Year-2019 Thana- KHAJANCHI HAT District- Purnea

Mohan Sardar, aged about 19 years, Gender-Male, Son of Binod Sardar
Resident of Village - Gur Milki, P.S.- K. Hat, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate
For the State : Mr. Umanath Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 09-12-2019

Heard learned counsel for the petitioner and learned
APP for the State.

2. Learned counsel for the petitioner is permitted to
make correction in the date of his release in the earlier case in
paragraph no. 3 of the application.

3. Permission granted.

4. Let the same be done during the course of the day.

5. The petitioner seeks bail in connection with K. Hat
(Maranga) PS Case No. 402 of 2019 dated 10.06.2019 instituted
under Sections 399, 402 of the Indian Penal Code and 25(1-b) (a)
and 35 of the Arms Act.



6. The allegation against the petitioner and four others is of planning to commit *dacoity* and from the petitioner, a mobile set has been recovered whereas from others, various other items have been recovered, including loaded firearms.

7. Learned counsel for the petitioner submitted that on the basis of suspicion, he has been arrested and the recovery is only of mobile phone. It was submitted that the petitioner is in custody since 11.06.2019, having one other criminal antecedent in which he has been released on bail by the High Court.

8. Learned APP submitted that the petitioner is part of a *gang* which regularly commits such serious crime.

9. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Purnea in K. Hat (Maranga) PS Case No. 402 of 2019.

10. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the



bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

11. The application stands disposed off.

(Ahsanuddin Amanullah, J.)

P. Kumar

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