

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35170 of 2020

Arising Out of PS. Case No.-129 Year-2020 Thana- PANDAUL District- Madhubani

SANDEEP JHA @ BIPUL JHA, son of late Dasharth Jha, Resident of Village- Lohna Paschim Ward No.7, Police Station- Bharbasthan, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Bisheshwar Ram

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 22-12-2020 Heard learned counsel for the petitioner and learned APP
for the State through virtual court proceedings.

Since the physical court proceeding is non-functional, due to present pandemic, COVID-19, the matter is listed with defects.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within three weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 25 (1-b)a/26/35 of the Arms Act.

The prosecution case in brief is that on 09.06.2020 the



informant alongwith other police force got secret information that four persons in suspicions condition were seen near Baidyaji Tola at Sarisabpahi. Police reached there on seeing police those four persons began to flee away but those persons were apprehended alongwith petitioner. On search, one country made pistol containing one pellet and mobile were recovered from the conscious possession of the petitioner. One mobile and pellet were also recovered from the co-accused persons by the police as stated in the self-statement of the informant. On demand of relevant papers about the recovery of firearms etc. from the possession of the accused persons including the petitioner, they did not produce any relevant papers for the same.

Learned counsel for the petitioner submits that there is recovery of one country made pistol alongwith one cartridge from the conscious possession of the petitioner. The petitioner is innocent and has falsely been implicated in this case. The petitioner is in custody since 10.06.2020. The petitioner has got three cases in which he is on bail, which is mentioned in para 3 of the bail application.

Learned APP for the State opposes the prayer for bail petition.



In the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (rupees twenty five thousand) with two sureties of the like amount each in connection with Pandaul P.S. Case No. 129/2020 to the satisfaction of the learned Chief Judicial Magistrate, Madhubani, subject to the following conditions:

(1) One of the bailors will be his own blood relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

amitkumar/-

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

