

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84938 of 2019

Arising Out of PS. Case No.-332 Year-2019 Thana- LALGANJ District- Vaishali

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SHEKHAR RAI Son of Maheshwar Rai Resident of Village - Lodipur, P.S.-
Goraul, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Kumar Sinha

For the Opposite Party/s : Mr.Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 09-01-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner in the present case is seeking regular
bail in connection with Lalganj P.S. Case No. 332/2019
registered under Sections 399, 402, 412, 413, 414 of the Indian
Penal Code and 25(1-b)A, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that
petitioner was arrested by police while he had gone to the
market and police has falsely shown recovery of one loaded
pistol and one live cartridge from his possession. It is submitted
that the petitioner is a young boy of 19 years has got no criminal
antecedent, he has remained in custody since 21.09.2019, the
investigation is complete and charge-sheet has already been
filed.



Learned A.P.P. for the State has opposed the prayer for regular bail of the petitioner. It is submitted that petitioner was arrested as from his possession one loaded pistol and one live cartridge was recovered.

Considering the facts and circumstances of the case wherein the submission of learned counsel for the petitioner is that the petitioner has remain in custody for over three months, the investigation against him is complete and charge-sheet filed as also that petitioner is aged about 19 years and has no criminal antecedent, let the above-named petitioner be released on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate – XIV, Hazipur, Vaishali, in connection with Lalganj P.S. Case No. 332/2019, subject to the condition as laid down under Section 437(3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly



make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer or tamper with the evidence.

Further condition that one of the bailors would be the father of this petitioner and in case the petitioner is found involved again in similar kind of offence, the Investigating Officer shall take steps for cancellation of bail of the petitioner in the present case as well.

(Rajeev Ranjan Prasad, J)

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