

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13330 of 2021**

Arising Out of PS. Case No.-108 Year-2020 Thana- CHANDRAMANDI District- Jamui

SANJIT KUMAR S/o Jaynarayan Singh R/o village- Sakini Tihiya, P.S.- P.S.-
Ewra, District- Jamui, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Kumar

For the Opposite Party/s : Mr. Dilip Kumar No. 1

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 07-07-2021 Heard learned counsel for the petitioner and learned A.P.P. for
the State through virtual court proceeding.

Learned counsel for the petitioner undertakes to remove the
defects within four weeks of resumption of normal court proceeding.
In the eventuality of non-removal of defects within undertaken
period, the office will place the matter before the Bench.

The petitioner seeks bail in connection with Chandramandih
P.S. Case No. 108 of 2020 registered for the offence punishable
under Sections 25(1-b)a/26 of the Arms Act.

Allegation against the petitioner is that on search one country
made pistol and cartridges were recovered from his possession.

It is submitted by learned counsel for the petitioner that
petitioner has falsely been implicated in this case and has not
committed any offence as alleged in the FIR. He submits that no
incriminating article has been recovered from his conscious physical



possession rather one country made pistol and cartridges is said to have been recovered from his house at the time of his arrest. He further submitted that petitioner has been falsely implicated in the present case due to local politics in connivance with police officials. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. The petitioner has one criminal antecedent and has been languishing in custody since 24.08.2020.

Learned APP for the State opposed the bail petition.

Considering the facts aforesaid, the above named petitioner is directed to be enlarged on bail, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Chandramandih P.S. Case No. 108 of 2020 subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the 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 and when so required and in the case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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