

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 11032 of 2021

Arising Out of PS. Case No.-657 Year-2020 Thana- MUFFASIL District- West Champaran

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AJAY SHUKLA Son of Birendra Shukla @ Virendr Shukl Resident of Village
- Chuhari Jiaachha Tola, Police Station - Chanpatia, District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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For the Petitioner/s :	M/s Brij Kishor Mishra, Sachida Nand Rai, Advs
For the Opposite Party/s :	Mr Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-07-2021 This case has been taken up for consideration today
through Video Conferencing.

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

The petitioner seeks bail in Bettiah Mufassil Police
Station (for brevity, *PS*) Case No 657 of 2020 instituted for the
offence punishable under Sections 399, 402 of Indian Penal
Code and Sections 25 (1-b) a, 26, 35 of Arms Act.

One live cartridge is said to have been recovered
from the petitioner's possession. On such basis, he is in custody
since 11.10.2020.

Learned counsel for the petitioner submits that it is
a case of false implication. The petitioner has no criminal
antecedent and recovery is not in accordance with law. The
recovery of motorcycle is alleged from another co-accused.

Learned APP has opposed the prayer for bail.



Considering the aforesaid, let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Bettiah, District – West Champaran in connection with Bettiah Mufassil PS Case No 657 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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