

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14885 of 2021

Arising Out of PS. Case No.-232 Year-2020 Thana- MADANPUR District- Aurangabad

Suresh Singh Bhokta, S/o Bodh Singh Bhogata @ Bodh Singh Bhokta, R/o village- Langurahi, P.S.- Madanpur, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-10-2021 Heard learned Counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Madanpur P.S. Case No.232 of 2020 registered for the offence punishable under Section 384 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act and Section 17/20/38/39/40 of the U.A.P. Act.

Two co-accused Mahendra Yadav and Baldeo Singh Bhokta have been arrested with arms and ammunition and it is alleged that they were dissuading people from participating in the Assembly elections. The petitioner's implication is on the statement of these arrested persons that he was also assisting them.

Counsel for the petitioner submits that merely



because the petitioner's name has surfaced in the statement of the co-accused, he has been implicated in this case even as per the F.I.R. There is no recovery of any arms and ammunition from the petitioner. He is in custody since 19.10.2020. It is stated that he is on bail in Madanpur P.S. Case No.197 of 2019.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Madanpur P.S. Case No.232 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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