

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18733 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- BELHAR District- Banka

BIJAY DAS Son of Khurcha Das Resident of Village- Barmasiya, P.S.-
Chandan, District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad

For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Belhar P.S. Case No. 135
of 2020, registered for the offence punishable under Sections
188, 399, 402 of the Indian Penal Code and sections 25(1-b)a,
26 and 35 of the Arms Act.

As per the prosecution case, on 21.04.2020 at about
11.00 am the informant received secret information that a gang
of criminals had assembled near Banka-Sahebganj road to
commit some serious offence. The police party went there and
caught six persons including this petitioner and upon search, one
live cartridge has been recovered from possession of petitioner.

It is submitted on behalf of the petitioner that



petitioner has falsely been implicated in this case. Similarly situated co-accused persons have been granted bail by different Benches of this Court vide order dated 09.09.2020 passed in Cr. Misc. No. 22992 of 2020, order dated 12.11.2020 passed in Cr. Misc. No. 28859 of 2020. Petitioner is in custody since 22.04.2020 having clean antecedent.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Belhar P.S. Case No. 135 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

vinita/-

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

