

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20914 of 2021

Arising Out of PS. Case No.-3 Year-2021 Thana- BIRPUR District- Supaul

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Aashutosh Pandey @ Monu Pandey, S/o- Late Chandra Prakash Pandey, R/o- Birpur, Bhagat Tola, Ward No. -6, P.S.- Birpur, District- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Amitesh Verma, APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 06-12-2021 The applicant/accused in Crime No. 03 of 2021 registered with Birpur (Bhim Nagar O.P.) Police Station for the offences punishable under Sections 25(1-B), A/26 of the Arms Act at the instance of first informant Ramashankar - P.S.O., by this application is seeking his release on bail during pendency of the appeal after filing of the charge sheet. The applicant is behind bars from 02.01.2021.

Heard the learned counsel appearing for the applicant/accused. He argued that the applicant is falsely implicated in the crime in question and that applicant is not having any criminal antecedent.

The learned Additional Prosecutor opposed the application by contending that one pistol with loaded cartridges came to be seized from the person of the applicant.



I have considered the submissions so advance and perused the materials available on record.

In the routine checking on 01.01.2021, P.S.O Ramshankar had arrested the applicant and in his personal search found him to be carried a pistol and a magazine with five rounds.

The investigation is over and the charge sheet is already filed. The applicant is reported having no criminal antecedent and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 03 of 2021 registered with Birpur (Bhim Nagar O.P.) Police Station for the offences punishable under Sections 25(1-B), A/26 of the Arms Act be released on bail on executing P.R. bond of Rs.10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue bail-writ as per this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

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