

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28760 of 2021

Arising Out of PS. Case No.-98 Year-2020 Thana- KAJRA District- Lakhisarai

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BABLU SAW S/O RAMJI SAW R/O VILLAGE BASUACHAK, P.S-
CHANAN, DISTRICT-LAKHISARAI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2021

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 121/120B/34 of the Indian Penal Code, u/s 25(1-aa), 25(1-b)a, 26(i)(ii), 35 of Arms Act, u/s 3/4 of Explosive Substance Act and u/s 16/17/18/20/23 of U.P.A. Act.

As per the prosecution case, on secret information that some miscreants had assembled for committing some crime a raid was conducted and one co-accused Monu Kumar was apprehended from whose possession huge quantity of arms and ammunition was recovered. Monu Kumar disclosed the name of this petitioner and 36 other accused persons, who fled away after seeing the police.

Learned counsel appearing for the petitioner submits that petitioner has not been arrested on the spot and name of this petitioner has come on the basis of confessional statement of co-accused, who was apprehended on the spot. No arms and ammunition



has been recovered from the possession of the petitioner. Petitioner is in custody since 15.11.2020.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, 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 Smt. Tanveer Kaur, Judicial Magistrate, 1st class, Lakhisarai in connection with Kajra PS case No. 98/2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

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

(Prabhat Kumar Singh, J)

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