

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32192 of 2021

Arising Out of PS. Case No.-214 Year-2020 Thana- BARURAJ District- Muzaffarpur

NANDLAL @ NAND LAL SON OF BALENDRA DAS R/O SONWARSA,
JASauli, P.O. AND P.S.- BARAURAJ, DISTRICT- MUZAFFARPUR,
BIHAR 843141.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raushan, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 17-12-2021 Heard the parties through video conferencing.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner, who is in custody since 12.12.2020,
seeks bail in connection with Baruraj P.S. Case No. 214 of 2020
registered for the offence punishable under Sections 414 of the
Indian Penal Code and Section 25(1-B)A, 26 and 35 of the Arms
Act.

The prosecution case, in brief, is that on receiving
secret information regarding assembling of miscreants along
with two motorcycle at Pakari Chauk, the informant and other
Police personnel reached there. On seeing the Police personnel,



six persons started fleeing, but, on chase, out of them four persons were apprehended. The apprehended persons disclosed their names as Deepak Patel, Md. Nunu, Nand Lal (Petitioner) and Golu and they divulged the name of their other accomplices, who managed to escape. On search, one live cartridge was recovered from the possession of petitioner.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that nothing has been recovered from the possession of the petitioner. The petitioner was forced to sign the seizure-list in the Police custody. He further submits that petitioner has been dragged in the present case on the confessional statement of one co-accused Deepak Patel. He further submits that petitioner is a student and he is languishing in custody since 12.12.2020 as such he deserves to be released on bail.

Learned A.P.P. for the State, however, opposed the prayer for grant of bail to the petitioner. He further submits that petitioner has criminal antecedent and his complicity in the alleged offence cannot be ignored.

Considering the aforesaid facts and circumstances of the case and the nature of the case and period of custody, it is directed that the learned Court below after verifying the



criminal antecedent of the petitioner and on being satisfied that there is no other criminal case pending against the petitioner, the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Muzaffarpur (West) in connection with Baruraj P.S. Case No. 214 of 2020 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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