

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30833 of 2021

Arising Out of PS. Case No.-274 Year-2020 Thana- MANJHAGARH District- Gopalganj

ANGAD KUMAR MISHRA Son of Subhash Mishra Resident of Village -
Hardiya, Mishra Tola, P.S. - Pachrukhi, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-11-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

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

The petitioner seeks bail in connection with Trial No. 23 of 2020 arising out of Manjhagarh P.S. Case No. 274 of 2020 registered for the offence under Sections 414, 399 and 402 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act and Section 80(c), 21(a) of the N.D.P.S. Act.

The case relates to recovery of one country made pistol along with a live cartridge as well as a Pudiya of



smack.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case. In fact, neither any contraband article nor firearms have been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 21.10.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned District and Sessions Judge, Gopalganj in connection with Manjhagarh P.S. Case No. 274 of 2020 with 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 canceled 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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