

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34591 of 2021**

Arising Out of PS. Case No.-101 Year-2020 Thana- BARIYARPUR District- Munger

SANTU MANDAL Son of Jagdambi Mandal Resident of Vijay Nagar
(Ithari), P.S.- Bariyarpur, District - Munger.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Jha, Adv.

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 01-12-2021 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 Bariarpur P.S. Case No. 101 of 2020 registered for the offence under Sections 25(1-b)a, 26(1) of the Arms Act.

The case relates to recovery of 80 cartridges and one mobile of Samsung company

Learned counsel appearing for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. In fact, nothing incriminating has



been recovered from the conscious possession of the petitioner, which is evident from the seizure list itself. The petitioner is rotting in judicial custody since 21.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner has also been made accused in another case which is evident from paragraph-3 of the petition.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-II, Munger in connection with Bariarpur P.S. Case No. 101 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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