

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1345 of 2021

Arising Out of PS. Case No.-336 Year-2019 Thana- BELHAR District- Banka

SANJAY DAS SON OF JITENDRA DAS Resident of Village- Shampur
Daka, P.S.- Shambhuganj, Distt.- Banka.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP.

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 05-04-2021 Heard learned Counsel for the petitioner and the learned
Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Belhar PS Case No. 336 of 2019 registered under Section 398 of the IPC and Sections 25(1-B)a, 26 & 35 of the Arms Act.

The case of the prosecution is that five persons have been arrested bear a Bank on suspicion that they were likely to commit some offence. From the petitioner, it is alleged that there is recovery of one live cartridge.

Submission is of false implication and that the petitioner bears no criminal antecedent. There is no allegation that the petitioner has actually committed any offence other than alleged recovery of a cartridge. The petitioner is in custody since 31.10.2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and



circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Banka in Belhar PS Case No. 336 of 2020 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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