

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56937 of 2021

Arising Out of PS. Case No.-13 Year-2019 Thana- LUTUA District- Gaya

Munna Singh Bhokta, son of Kailash Bhogta @ Kailash Singh Bhokta,
Resident of Village - Pathlautiya, P.S. - Lutua, Dist. - Gaya.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

3 22-12-2021 Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

This is the second attempt of the petitioner to obtain bail in connection with Lutua P.S. Case No. 13 of 2019 registered for the offences punishable under Section 25(1-b)a, 26, 35 of the Arms Act. He is in custody since 20.12.2019 having no criminal antecedent as stated in paragraph '3' of the application.

As per the prosecution story, on 18.12.2019 at about 6:05 P.M. while the informant with other police force had gone for patrolling duty and started checking of vehicles, in the meantime, two persons were coming on Splendor motorcycle and on seeing police party one person had fled away. The informant further alleged that one person apprehended with motorcycle and on search a country made pistol and 107 live



cartridges had been found.

Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case, petitioner has no concern with the alleged motorcycle and there are general and omnibus allegation against the petitioner.

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

Having regard to the report received from the learned trial court as contained in letter no. 50/2021 and taking note of the fact that petitioner is in custody in connection with this case since 20.12.2019, this Court directs that in case the trial is not concluded within the given period of three months in terms of the letter no. 50/2021 and for no reason attributable to the petitioner, the petitioner above-named shall be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Sherghati, Gaya in connection with Lutua P.S. Case No. 13 of 2019, subject to the condition as laid down under Section 437 (3) Cr.P.C.

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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

