

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2547 of 2021

Arising Out of PS. Case No.-88 Year-2020 Thana- ADAPUR District- East Champaran

MUNNA PATEL Son of Suresh Patel, Resident of Village- Nayak tola, P.S.-
Harpur (Adapur), District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prateek Tandon, Adv.

For the Opposite Party/s : Mr.Uday Chand Pd., APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 16-03-2021 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 399 & 402 of the Indian
Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act.

Acting on a tip-off, when the informant alongwith
police force reached near Barwa Bazar, after seeing the police
force miscreants started fleeing away but on chase petitioner
alongwith two others were apprehended. On search, one country
made pistol with five live cartridges were recovered from the
possession of the petitioner.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. The petitioner had heated argument with police during vehicle checking as a result he has been implicated in this case. He further submits that the allegation against the petitioner is that one country made pistol, one live cartridge and Nepali currency has been recovered from the conscious possession of the petitioner. The petitioner is languishing in judicial custody since 16.03.2020. The co-accused have been granted bail by the Co-ordinate Benches of this Court vide order dated 23.12.2020 passed in Cr. Misc. No. 35177/2020 and dated 10.03.2021 passed in Cr. Misc. No. 1209/2021.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Adapur P.S. Case No. 88/2020 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

(1) One of the bailors will be his own blood



relative, preferably, father, mother brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

