

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1817 of 2022

Arising Out of PS. Case No.-105 Year-2021 Thana- INDUSTRIAL AREA District- Vaishali

Chandan Kumar S/o Ram Pravesh Ray Resident of Village- Raghapur Purvi,
P.S.- Jurawanpur, District- Vaishali, presently R/o Jadhua, P.S.- Hajipur Town,
District- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Ajay Kumar Jha

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

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

Recovery is of one loaded country made pistol and one live cartridge.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that one loaded country



made pistol and one live cartridge has been recovered from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Manish Kumar has been granted bail by this Court vide order dated 22.01.2022 passed in Cr. Misc. No. 54673 of 2021, another co-accused namely, Ghopi Kumar @ Vikas Kumar has been granted bail by this Court vide order dated 27.01.2022 passed in Cr. Misc. No. 55490 of 2021 and another co-accused namely, Amarjit Kumar Das @ Indrajit @ Amarjit Kumar has been granted bail by this Court vide order dated 01.02.2022 passed in Cr. Misc. No. 57477 of 2021. The petitioner is in custody since 26.06.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Court below where the case is pending in connection with Industrial Area P.S. Case No. 105 of 2021, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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.

3. 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)

mdrashid/-

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

