

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7259 of 2022

Arising Out of PS. Case No.-602 Year-2021 Thana- SARAIYA District- Muzaffarpur

BAJRANG KUMAR Son of Mahesh Mahto Resident of Village - Bahorkha,
P.S. - Belsar (O.P.), District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha
For the Opposite Party/s : Mr.Yogendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 24-06-2022 Heard learned counsel for the petitioner and the State
through Video conferencing.

Petitioner seeks regular bail in a case registered for
the offence punishable under Sections 413, 414/34 of the Indian
Penal Code and section 25(1-b)a, 26/35 of Arms Act.

Allegedly, from the person of the petitioner, a loaded
country made pistol along with live cartridge was recovered.

The main submissions advanced by the learned
counsel for the petitioner are that petitioner has been
languishing in jail custody since 25.8.2021 and charge sheet has
been submitted against him and co-accused Dashrath Kumar,
who is alleged to be in possession of a knife, has been granted
bail by the court below and petitioner has got no criminal
antecedent.



Learned APP opposes the prayer for bail.

In view of the above submissions and considering the petitioner's custody period and his clean antecedent mentioned at para 3 of the petition, let the 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 the Addl. Chief Judicial Magistrate IV, Muzaffarpur (West) in Saraiya (Jaitpur O.P) P.S. Case No. 602 of 2021 on 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 below and shall remain physically present as directed by the Court below 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) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on



account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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