

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9152 of 2022

Arising Out of PS. Case No.-179 Year-2021 Thana- BASOPATTI District- Madhubani

SINDHI KUMAR RAM S/o Ramudgar Ram R/V- Ghat Madhiya, P.S.-
Basopatti, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Bihari Singh, Adv

For the Opposite Party/s : Mr.Md. Mushtaque Alam,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-06-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 399,402 of the IPC and Sections 25(1-b)A/26/35 of Arms Act.

The prosecution case, in short, is that one screw driver was recovered from possession of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR as well as seizure



list that nothing incriminating article has been recovered from possession of the petitioner. Only one screw driver has been recovered from possession of the petitioner and no case of Arms Act is made out against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the similarly situated co-accused, namely, Prabhakar yadav @ Prabhakar Kumar Yadav has been granted bail vide order dated 25.05.2022 in Cr.Misc. No.6403 of 2022 by a Coordinate Bench of this Hon'ble Court and the petitioner is in custody since 18.07.2021.

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

Considering the facts and circumstances of the case, 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 learned Court below where the case is pending in connection with Basopatti P.S. Case No.179 of 2021, with 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/her absence on two consecutive dates without sufficient



reason, his/her 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.

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)

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