

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11841 of 2022**

Arising Out of PS. Case No.-551 Year-2021 Thana- KATIHAR NAGAR District- Katihar

GOVIND KUMAR @ GOVIND KR. MANDAL S/o Jogi Mandal R/o Kabar
Kaltola, P.S.- Barari, Distt- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Singh, Advocate

For the Opposite Party/s : Mr. Raj Ballabh Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

2 13-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 29.09.2021, seeks
regular bail in connection with Katihar Town P.S. Case No. 551
of 2021 registered for offences punishable under Sections 25(1-
b)a/26/35 of the Arms Act.

As per the FIR and seizure list, allegation against the
petitioner is that one loaded country-made pistol was recovered
from his waist.

Learned counsel appearing on behalf of the petitioner
submits that petitioner has clean antecedent and he is in custody
since 29.09.2021. The alleged recovery has been made at the



behest of his enemy on mere suspicion. There is no independent witness to the seizure list and the same has been prepared in the police custody. There is no chance of absconding or tampering and hence the petitioner deserves to be released on bail.

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

Taking into consideration the nature of allegation made in the FIR as well as period of custody undergone by the petitioner, there being no allegation of tampering the evidence or influencing the witnesses and trial is not likely to be concluded in near future, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Katihar in connection with Katihar Town P.S. Case No. 551 of 2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.



(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(Purnendu Singh, J)

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