

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13815 of 2022

Arising Out of PS. Case No.-111 Year-2021 Thana- LAXMIPUR District- Jamui

BIBHUTI PANDEY son of Pankaj Pandey, R/o village- Karanapur,P.s.-
Laxmipur, District- Jamui..... Petitioner

Versus

THE STATE OF BIHAR Opposite Party

Appearance :

For the Petitioner/s : Mr. Nagendra Sharma, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-09-2022 Learned counsel for the petitioner shall remove the defect(s) within four weeks from today.

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

The petitioner in the present case is seeking regular bail in connection with Laxmipur P.S. Case No. 111 of 2021 registered for the offences punishable under Sections 399, 402 of the Indian Penal Code and Sections 25(1-B)a, 26/35 of the Arms Act.

Learned counsel for the petitioner submits that earlier prayer for bail of the petitioner was rejected vide order dated 21.02.2022 passed in Cr. Misc. No. 43987 of 2021 due to non-disclosure of the complete antecedent of the petitioner in paragraph '3' of the earlier bail application.

It is submitted that the petitioner is accused in three



cases and two Sanha entries have been made in the Station Diary against his name. It is further submitted that the petitioner is in custody since 26.03.2021 and he has sufficiently been punished.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Having regard to the submissions that the petitioner is in custody for one and half year approximately in connection with the present case, he has otherwise three criminal antecedents and two entries in the Station Diary against his name as stated in paragraph '3' and in the three cases he is on bail and further there being no submission on behalf of the State that his release at this stage is likely to result in tampering with evidence or interfering with the course of trial, this Court directs release of the petitioner on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri A. K. Raj, J. M. Ist Class, Jamui in connection with Laxmipur P.s. Case No. 111 of 2021, subject to the condition as laid down under Section 437 (3) of the Cr.P.C.

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.

Certified copy of the order will be made available only after removal of the defects.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

