

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14793 of 2022

Arising Out of PS. Case No.-726 Year-2021 Thana- MOTIHARI TOWN District- East
Champaran

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Manish Kumar Pandit @ Sonu Kumar @ Manish Pandit Son Of Murari
Pandit Resident Of Village - Shantipuri, P.S- Town Motihari, Distt.- East
Champaran. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prateek Tandon, Advocate
For the Opposite Party/s : Mr. A.P.P

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 18-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks from today.

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

Allegation is of recovery of one country-made loaded
pistol and one live cartridge from the possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. It is further
submitted that the petitioner has given his house on rent to co-
accused persons and he had gone there to collect monthly rent



from them, in the meantime police reached there and he was also apprehended on the basis of suspicion. No incriminating articles have been recovered from the possession of the petitioner. The petitioner is in custody since 17.12.2021, has antecedent of three cases and charge-sheet has been submitted in the case.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned C.J.M., Motihari, East Champaran in connection with Town P.S. Case No. 726 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.
3. The bailor shall also state on affidavit that he will



inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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