

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14945 of 2022

Arising Out of PS. Case No.-230 Year-2021 Thana- GANGABRIDGE District- Vaishali

Ladla @ Ladle @ Md. Tajuddin Son of Md. Salam Ansari @ Salam Ansari
Resident of Village - Mokim Chak, P.s.- Bidupur, Distt.- Vaishali.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Chandra Gandhi, Advocate.

For the Opposite Party/s : Mr.Binod Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 15-07-2022 The case is heard through video conferencing.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

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

Petitioner seeks regular bail in connection with Gangabridge P.S. Case No. 230 of 2021 registered for the offences under Sections 399 and 402 of the Indian Penal Code and 25(1-b)a, 26 and 35 of the Arms Act.

Allegedly petitioner and co-accused persons assembled at a mango orchard with intention for preparation of committing dacoity, and thereafter police party raided the alleged place and arrested three persons including the petitioner and, from the possession of the petitioner four cartridges and one knife were recovered, and from the possession of the co-accused Pankaj Kumar and Sonu Kumar two loaded country-



made pistol were recovered, and according to the prosecution the accused persons assembled at the alleged place to commit loot at a petrol pump.

The main submissions advanced by learned counsel for the petitioner are that according to the prosecution's story mentioned in the FIR only four cartridges and one knife are alleged to have been recovered from the possession of this petitioner, against the petitioner there is criminal antecedent of two cases in which one case was lodged earlier and in the second case he was remanded after getting arrested in the present case. Further submission is that one co-accused namely Pankaj Kumar from whose possession country-made pistol was recovered has been considered for regular bail vide order passed in Cr. Misc. No. 14175 of 2022 and accordingly petitioner's case is on better footing from the said co-accused as from his possession only four cartridges and a knife are stated to have been recovered.

Learned APP appearing for the State has opposed the bail prayer.

Having considered the above submissions and petitioners custody period and mainly his case to be on similar footing with the co-accused Pankaj Kumar who has been



granted bail by this Court vide order passed in Cr. Misc. No. 14175 of 2022, in my view a lenient approach can be taken in respect of petitioner's prayer 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 concerned Court in Connection with Gangabridge P.S. Case No. 230 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 a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(Shailendra Singh, J)

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