

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25270 of 2021

Arising Out of PS. Case No.-200 Year-2020 Thana- LADANIA District- Madhubani

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Ashok Viraji S/O- Ram Sewak Biraji @ Ram Sewak Yadav Resident Of
Village- Kalapatti, P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 18-01-2022 The applicant/accused in Crime No. 200 of 2020

registered with Ladaniya Police Station for the offences

punishable under Sections 25(1-b)a/26 of the Arms Act, by

this application is seeking his release on bail during pendency of

the trial.

Heard the learned counsel appearing for the

applicant/accused. He submits that the investigation of the

crime in question is already over and the offence punishable is

only up to three years. It is argued that there is no point in

further pretrial detention of the applicant.

The learned Additional Public Prosecutor opposed

the application by contending that the applicant was found

absconding in crime No.148 of 2020 and when he was

apprehended, he was found to be possessing one country-made



fire-arm.

I have considered the submissions so advanced and also perused the materials placed before me.

The FIR is lodged by the police officer with an accusation that on getting information that the applicant, who is absconding in crime No.148 of 2020, is going on his motorcycle. That is why the applicant came to be apprehended at Patharahi. He was found to be possessing a country-made fire-arm.

The investigation of the crime in question is over. The applicant is undergoing pretrial detention in this case from 03.10.2020. Hence, I see no reason to deny bail to the applicant in this case. Therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 200 of 2020 registered with Ladaniya Police Station be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from



disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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