

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16145 of 2022

Arising Out of PS. Case No.-776 Year-2021 Thana- KANKARBAG District- Patna

=====

MONU KUMAR Son of Prem Prasad @ prem Kumar Yadav @ Prem Kumar
Resident of Mohalla - Chiraiyatand, Khas Mahal, More, P.S. - Jakkanpur,
District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate.

For the Opposite Party/s : Mr.Nityanand, APP.

=====

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-04-2022 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

Let the defect(s), if any, be removed within two

weeks of the complete start of the physical Court in normal

course.

The petitioner seeks regular bail in connection with

Kankarbagh P.S. Case No. 776 of 2021 for the offence

punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution story, in brief, is that one loaded

pistol along with one cartridge was recovered from the trouser

of the petitioner.

Learned counsel appearing on behalf of the petitioner

submits that the petitioner is innocent and he has falsely been



implicated in this case. Nothing has been recovered from conscious possession of the petitioner. He further submits that the petitioner has got no criminal antecedent and is in custody since 18.08.2021.

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

Considering the aforementioned facts and circumstances of the case, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Patna in connection with Kankarbagh P.S. Case No. 776 of 2021, subject to the following conditions:-

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

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

(3) 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.



(4) 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 bonds.

(5) **The court below is directed to verify the criminal antecedent of the petitioner. In fact, the petitioner has stated in Para-3 of the bail petition that he has clean antecedent. If the statement made in Para-3 of the bail application is found to be incorrect, this order will automatically loose its force.**

(Purnendu Singh, J)

mantreshwar/-

U		T	
---	--	---	--

