

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17196 of 2022

Arising Out of PS. Case No.-448 Year-2021 Thana- LALGANJ District- Vaishali

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AMIT KUMAR S/o Ram Surat Thakur @ Bhutta Thakur Resident of Village-
Paru Gopalpur, P.S.- Paru, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-07-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with P.S.
Case No. 448 of 2021 registered for the offence under
Sections 413, 414 and 34 of the Indian Penal Code and
25(1-B)a, 26 and 35 of the Arms Act.

The case relates to recovery of one country made
pistol with three cartridges in magazine and two master
keys along with theft motorcycle.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case. He
further submits that it appears from the FIR that one



country made pistol along with three cartridges in magazine, two master keys and theft motor-cycle have been recovered from the conscious possession of the petitioner but in fact nothing has been recovered from the conscious possession of the petitioner, however, he has been apprehended by the police on the basis of suspicion while he was going to his matrimonial house. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 22.12.2021.

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

Considering the facts and circumstances of the case, let the, above named, 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 learned Court below where the case is pending in connection with Lalganj P.S. Case No. 448 of 2021 with 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 shall remain physically present as directed by the



Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled 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.

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.

(Rajesh Kumar Verma, J)

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