

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22615 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- SAKSOHRA District- Patna

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DEGAN KUMAR SON OF SURESH RAM R/O- VILLAGE- KHARUARA
P.S.- HARNAUT DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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with
CRIMINAL MISCELLANEOUS No. 23002 of 2022

Arising Out of PS. Case No.-3 Year-2022 Thana- SAKSOHRA District- Patna

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RAKESH MANJHI Son of Laxman Manjhi Resident of village - Kharuara,
Police Station - Harnaut, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 22615 of 2022)

For the Petitioner/s : Mr.Chandra Sen Prasad Singh

For the Opposite Party/s : Mr.Anil Kumar

(In CRIMINAL MISCELLANEOUS No. 23002 of 2022)

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 20-07-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioners and

learned A.P.P. for the State.

The petitioners seek bail in connection with

Saksohra P.S. Case No. 03 of 2022 registered for the offences



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

As per prosecution case, there is alleged recovery of two live cartridges from possession of petitioner Degan Kumar. It is further alleged that one loaded country made pistol was recovered from possession of petitioner Rakesh Manjhi.

Learned counsel for the petitioners submits that petitioners are in custody since 13.01.2022 and bear no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioners, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of Mr. Ranjan Deo, learned Judicial Magistrate, 1st Class, Barh in connection with Saksohra P.S. Case No. 03 of



2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Alok Kumar Pandey, J)

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