

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22923 of 2022**

Arising Out of PS. Case No.-430 Year-2020 Thana- JAKKANPUR District- Patna

1. MAHENDRA SINGH Son of Jagarnath Prasad Resident of Village - Begampur, P.S. - Sadar, District - Bhojpur.
2. Ajit Kumar Son of Ashok Kumar Resident of Shetal tola, Ara Bus Stand, P.S.- Nawada, District - Bhojpur.

... .. Petitioners.

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Anil Kumar

For the Opposite Party/s : Mr. Dr. Ajeet Kumar

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN**  
**ORAL ORDER**

2      18-05-2022                      Heard learned counsel for the petitioners and learned  
APP for the State.

Learned counsel for the petitioners undertakes to remove the defects within four weeks. In the eventuality of non-removal of defects within undertaken period, the office will place the matter before the Bench.

This is the second attempt of the petitioner to approach before this Court for bail. Earlier, vide a detailed order dated 07.07.2021 passed in Cr. Misc. No. 11771 of 2021, the prayer for bail of the petitioner was rejected.

It is submitted by learned counsel for the petitioners that no incriminating article has been recovered from the conscious physical possession of the petitioners. Co-accused Raju Yadav from whose possession eight illegal country made



automatic pistols with 16 magazines are stated to have been recovered has been enlarged on bail by a co-ordinate Bench of this Court vide order dated 18.11.2021 passed in Cr. Misc. No.19114 of 2021, whereas the allegation against these petitioners is that they had order the said Raju Yadav for supply of arms to sell. Petitioners have no criminal antecedent and are languishing in custody since 18.11.2021.

Considering the facts aforesaid, the above named petitioners are directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Jakkanpur P.S. Case No.430 of 2020, subject to the following conditions :

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or their wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioners shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, their



bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioners shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(5) The petitioners will mark his attendance in the local police station in first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bond.

**(Anjani Kumar Sharan, J)**

Trivedi/-

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