

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.23900 of 2022**

Arising Out of PS. Case No.-997 Year-2021 Thana- AGAMKUAN District- Patna

Raj Poddar, Son of Anil Poddar, Resident of Village- Padri Ki Haveli, Bijli  
office Gali, P.S.- Khajekalan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      03-08-2022              Learned counsel for the petitioner is permitted to  
remove the defect(s), as pointed out by the office, within a  
period of four weeks from today.

Heard Mr. Arvind Kumar Pradhan, learned counsel  
for the petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in  
connection with Agamkuan P.S. Case No. 997 of 2021  
registered for the offences punishable under Sections  
356/379/411 of the Indian Penal Code and Sections 25(1-b)a/ 26  
of the Arms Act.

As per prosecution case, it is alleged that while the  
informant was waiting for Tempo, in the meantime, the  
petitioner along with other accused persons came on motorcycle  
and snatched his mobile phone. However, this petitioner was



caught with the help of local people and handed over to the police. On search being made one mobile phone and a pistol made of plastic as well as one live cartridge were recovered from the possession of this petitioner.

Learned counsel for the petitioner submits that in fact on the fateful day, the petitioner was coming with his friend, who has also made co-accused in this case, on his motorcycle, in the meantime, on account of some trifling issue, altercation took place with the informant and thereupon the police came there and apprehended this petitioner. It is further submitted that so far as the recovered pistol is concerned, the same is of plastic pistol and nothing else. It is lastly submitted that the petitioner is a man of clean antecedent and he is in custody since 21.10.2021, though the investigation of the crime is already completed and the charge-sheet has been submitted.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the petitioner was caught red handed with the looted mobile.

Having regard to the submissions made on behalf of the parties and taking into consideration the fact that the petitioner is a man of fair antecedent and he is in custody since 21.10.2021 and moreover the investigation of the crime is



completed and charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Agamkuan P.S. Case No. 997 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

**(Harish Kumar, J)**

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