

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23768 of 2022

Arising Out of PS. Case No.-279 Year-2021 Thana- DEEPNAGAR District- Nalanda

Sunil Kumar Son of Late Shree Yadav @ Shree Prasad Yadav Resident of
Village - Oknawan, Police Station - Deep Nagar, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudish Kumar, Adv.

For the Opposite Party/s : Mr. Nirmala Kumari, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode.

The petitioner seeks regular bail in connection with
Deep Nagar P.S. Case No. 279 of 2021 lodged under Sections
341, 323, 504, 506 of the Indian Penal Code read with Sections
25 (1-b)a, 26 of Arms Act.

As per the prosecution case, in the early morning the
petitioner was caught raid handed by the police party, after
receiving an information from one Shaila Devi. From the
possession of petitioner a country made *Desi Katta* alongwith
one live cartridge were alleged to be recovered.

Learned counsel for the petitioner submits that the

present case has been lodged at the instance of Shaila Devi with whom there is inimical relation with the family of the petitioner. He further submits that petitioner is in custody since 13.08.2021, chargesheet has already been filed, his antecedent is clean. He further submits that petitioner is ready to support in the trial and ready to fulfill all the conditions which shall be imposed by the Court.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Deep Nagar P.S. Case No. 279 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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