

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33639 of 2021**

Arising Out of PS. Case No.-241 Year-2017 Thana- AIRPORT District- Patna

PINTU KUMAR S/O VINOD RAI R/o village- Ram Nagar Colony,
Sultanpur, Near Police Chowki, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Shekhar, Adv

For the Opposite Party/s : Mr.Ajay Kumar Jha, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

5 11-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 399,402 of the Indian Penal Code read with Section 25(1-B),26 and 35 of Arms Act.

The prosecution case, in short, is that the informant was on routine duty with other police personnel received confidential informant some persons are sitting on ad-ice near Aranya Bhawan making smoke and planning to commit crime. When they reached near place found information true. Upon seeing police jeep, they try to escape but out of six four nabbed



by the police. Local people assembled thereon seeing all these exercise. Upon search indiscriminating articles were recovered from them.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that nothing has been recovered from conscious possession of the petitioner. He further submits that no seizure list has been prepared in presence of the petitioner nor any copy of them has been served upon him and he is in custody since 13.12.2017.

Vide order dated 06.01.2022 a report was called for with regard to the stage of the trial. Report reveals that the charge is framed on 27.05.2019 and the case is fixed for prosecution evidence.

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 petitioner, above named, 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 Hawaii Adda Police Station Case No.241 of 2017, 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 cancelled 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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