

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24526 of 2022

Arising Out of PS. Case No.-17 Year-2022 Thana- LALGANJ District- Vaishali

Chandan Kumar Son Of Sri. Manoj Choudhary Resident Of Village -
Ataullahpur, P.S.- Lalganj, District - Vaishali At Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Navjot Yesu, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-08-2022 Heard Mr. learned counsel appearing on behalf of the
petitioner and learned APP of the State.

Petitioner seeks bail in connection with Lalganj P.S
Case No.-17 of 2022 registered for the offence punishable under
section 399, 402, 413,414 of Indian Penal Code and Section
25(1-b) a 26 of 35 of the Arms Act.

As per the prosecution case, it is alleged that police
got confidential information with regard to assemblage of
miscreants, raided the place of occurrence, altogether four
persons were apprehended and on search being made one
country made pistol and live cartridge has been recovered from
possession of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that nothing has been recovered from conscious



possession of the petitioner and only on account of past criminal antecedent, the recovery has been shown from his possession and his name has been implicated. It is further submitted that there is no independent witness to the seizure list, apart from other irregularities. It is also submitted that the petitioner is in custody since 13.01.2022, though after completion of investigation charge-sheet has been submitted and he is ready to give undertaking that he will co-operate in the trial.

On the other hand, learned counsel for the State vehemently opposed the bail application and submits that petitioner has been involved in two other cases.

Having regard to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody since 13.01.2022 and after completion of investigation charge-sheet has been submitted, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P.S. Case No. 17 of 2022 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.

(v) 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 cancelling 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.

(Harish Kumar, J)

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