

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24765 of 2022

Arising Out of PS. Case No.-13 Year-2022 Thana- BAJPATTI District- Sitamarhi

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Hassan Mansoori @ Hassan Nadaf @ Hasan Nadaf Son of Md. Kasim @
Kasim Nadaf Resident of Village - Bhawanipur, Ward No.13, Parihar, P.s.-
Parihar, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 21-11-2022 Learned counsel for the petitioner submits that due to

mistake, wrong typed copy has been filed but today by

supplementary affidavit, he is filing correct copy of F.I.R.

Let the defect(s), if any, be removed within two weeks

from today.

Heard learned counsel for the petitioner and learned

A.P.P. for the State.

The petitioner seeks regular bail in connection with

Bajpatti P.S. Case No. 13 of 2022 lodged under Sections

399/402/413/414 of the I.P.C. read with Section 25(1-b)A/26/35

of Arms Act and Sections 8/20(b)(ii)(c)/22 of NDPS Act.

As per the prosecution case, the present case has been

filed against 13 named accused persons including the present

petitioner.

Learned counsel for the petitioner submits that from the possession of the petitioner, one knife and one smartphone of Jio Company have been recovered. Counsel for the petitioner submits that save and except there is no other allegation against the present petitioner. Counsel submits that petitioner is in custody since 21.01.2022 having 2 criminal antecedent which he has described by virtue of filing the first supplementary affidavit. Counsel submits that in both the cases he is on bail.

Learned counsel for the State opposes the prayer for bail and submits that petitioner having criminal antecedent and there is allegation in the case upon the petitioner that he has involved in a crime which are registered under I.P.C., Arms Act and NDPS Act but simultaneously, he admits that neither NDPS nor Arms Act material has been recovered from his possession.

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 Special Judge, Sitamarhi in connection with Bajpatti P.S. Case No. 13 of 2022, 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 be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship 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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