

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33199 of 2021

Arising Out of PS. Case No.-24 Year-2021 Thana- NARPATGANJ District- Araria

KADIR @ MD KADIR S/o Late Kuddus Sah @ Kuddus Resident of Khaira
Gadhiya, Ward No. 10, P.S.- Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abul Kalam, Adv

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 14-02-2022 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 the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Narpatganj P.S.Case No.24 of 2021 registered for the offence under Sections 147, 149, 452, 341, 323, 324, 325, 307, 353, 188, 189, 332, 333, 337, 224, 225, 511 and 504 of the Indian Penal Code 25 a (1-b), a, ab,26 (1)(2)/27 of the Arms Act.

The case relates to recovery of 5 live cartridges of 8 M.M. from possession of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present



case. He further submits that as per allegation in the FIR five live cartridges of 8 MM have been recovered from the conscious possession of the petitioner. He further submits that in fact nothing has been recovered from the possession of the petitioner rather the police has planted the same and shows that the recovery has been made from possession of the petitioner and the petitioner is in custody since 10.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

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 Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No.24 of 2021 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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