

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26122 of 2022

Arising Out of PS. Case No.-591 Year-2021 Thana- SHASTRINAGAR District- Patna

Abhishek Kumar @ Biru Son of Sri Binod Kumar Singh R/o- Durga Ashram
Gali, Opposite of Komal Shringar, P.S.- Shastri Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 02-09-2022 Heard the parties through video conferencing.

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.

The petitioner seeks regular bail in connection with
Shastri Nagar P.S. Case No. 591 of 2021, (G.R. No. 8061 of
2021) lodged under Sections 25(1-b)a/26/35 of the Arms Act.

As per the prosecution case, the recovery of one live
cartridge has been made from the pocket of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 30.11.2021, charge sheet has
already been filed in this case and have one criminal antecedent.
He submits that petitioner is ready to fulfill all the conditions

whatsoever shall be imposed upon him by the Court. He further submits that other co-accused persons have been granted bail by this Court vide order dated 27.07.2022 passed in Cr. Misc. No. 12747 of 2022.

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 Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M. IV, Patna in connection with Shastri Nagar P.S. Case No. 591 of 2021(G.R. No. 8061 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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