

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27154 of 2022

Arising Out of PS. Case No.-77 Year-2022 Thana- AMARPUR District- Banka

CHHOTU PANDIT Son of Lambodar Pandit Resident of Village - Balua, P.s.-
Amarpur, Distt.- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar, Advocate

For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-08-2022 No one appears on behalf of the petitioner. The State
is present.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 399 and 402
of the Indian Penal Code and Sections 25(1-b)a, 26/35 of the
Arms Act in connection with Amarpur P.S. Case No. 77 of 2022.

As per the FIR, upon secret information, the police
reached the place of occurrence and caught seven accused
persons on three motorcycles, the petitioner herein being one of
them. Upon search, it is alleged that a country made pistol and
three live cartridges were recovered/seized from the accused
persons.

So far as this petitioner is concerned, one mobile of



MI company along with Rs. 900/- was/were recovered from his possession. Accordingly, they were taken into custody.

It has been averred in the bail application that he has been falsely implicated and it has not been alleged that the mobile that was recovered/seized from his was stolen one. It further appears from learned Sessions Judge order that he is in custody since 8.2.2022.

Taking into account the aforesaid facts that the petitioner has no criminal antecedent, the charge-sheet stands submitted and he is in custody since 8.2.2022, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka, in connection with Amarapur P.S. Case No. 77 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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