

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29851 of 2022

Arising Out of PS. Case No.-107 Year-2021 Thana- SHANKARPUR District- Madhepura

BANDHAN KUMAR ALIAS RANJAN KUMAR Son of Sri Janardan Prasad
Yadav @ Janardan Yadav Resident of Village - Itahara, P.S.- Saur Bajar,
Distt.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 31-08-2022 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 learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Sections 399 and 402 of the IPC and Section 25(1-B)a, 26,27,35 of Arms Act.

Recovery is of one country made pistol, two live cartridges and two mobile phones 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 it appears from the FIR that one country made pistol, two live cartridges and two mobile phones have been recovered from possession of the petitioner. Further submits that although the petitioner carries 22 more cases other than the present one and in all the cases the petitioner is on bail which is mentioned in para-3 of the bail petition. Further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 18.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries twenty two 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 Court below where the case is pending in connection with Shankarpur P.S. Case No.107 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.

(3) As per the submission of learned counsel for the petitioner that the petitioner carries 22 more cases other than the present one and in all the cases the petitioner is on bail, learned court below is directed to verify the said facts and if the same is found true, the learned court below may consider the bail of the petitioner.

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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