

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29338 of 2022

Arising Out of PS. Case No.-114 Year-2022 Thana- PURNEA SADAR District- Purnia

Amit Kumar @ Golu @ Bholu Son of Dharmdev Singh Resident of Village -
Chandibari, P.S.- Sadar (Muffassil), Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar Agrawal, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-08-2022 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 offences punishable under Sections 399/402 of the Indian Penal Code and Section 25(1-b)a/26/35 of the Arms Act.

One loaded country made pistol, one live cartridge and one mobile phone were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from



the F.I.R. as well as seizure list one loaded country made pistol, one live cartridge and one mobile phone have been recovered from the conscious possession of the petitioner. He further submits that similarly situated co-accused person namely Sonu Kumar has been granted bail by this Court vide order dated 23.08.2022 in Cr. Misc. No. 28250 of 2022 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 16.02.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case 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/- (Rupees 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 Sadar P.S. Case No. 114 of 2022, 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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