

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35570 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- KATRA District- Muzaffarpur

Satish Kumar Son Of Awadh Kishore Yadav Resident of village- Kamalpur
Bithraul, P.S. - Baruraj, District- Muzaffarpur. Petitioner/s
Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar, Advocate.
For the Opposite Party/s : Mr. Ram Naresh Ray, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 26-09-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Prabhat Kumar, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Katra P.S. Case No. 91 of 2022 for the offences
punishable under Sections 399 and 402 of the Indian Penal
Code, Sections 25(1-b)a, 26 and 35 of the Arms Act and
Sections 20 and 22 of the Narcotic Drugs and Psychotropic
Substances, Act.

The police on a secret information with regard to
assemblage of miscreants, raided the place of occurrence and
apprehended three persons and on search one loaded country
made pistol and one live cartridge were recovered. It is also
alleged that on noticing the police party, other accused persons



succeeded to flee away.

It is submitted by the learned counsel appearing on behalf of the petitioner that in fact nothing has been recovered from the person and possession of the petitioner, however, on suspicion petitioner was apprehended and thereafter, some altercation took place between the petitioner and the police and his name has been implicated in this case showing recovery from him. He further submitted that petitioner is in custody since 15.03.2022 and moreover, after completion of investigation, charge-sheet has been submitted. He also submitted that there are other infirmities in preparation of seizure list.

On the other hand learned APP for the State opposed the bail application and submitted that the petitioner was caught red-handed along with fire arm.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner is in custody since 15.03.2022 and the investigation of the crime is already completed and the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned



Sessions Judge-cum-Special Judge, Muzaffarpur, in connection with Katra P.S. Case No. 91 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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