

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45437 of 2021

Arising Out of PS. Case No.-52 Year-2020 Thana- UDAKISHUNGANJ District- Madhepura

AASHISH SINGH @ ASHISH KUMAR @ GOLU SINGH Son of Bablu
Singh @ Varun Kumar Singh Resident of Village- Madhukarchak, P.S.-
Bihariganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dr. Sanjay Kumar Singh

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 18-05-2022 The applicant/accused in Crime No. 52 of 2020 registered with Uda Kishungnj Police Station for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act, by this application is seeking his release on bail during pendency of the trial.

This is second bail application. The earlier bail application was rejected with a direction that the applicant may renew his prayer after six months, if there is no substantial progress in the trial.

The learned counsel for the applicant argued that the trial has not proceeded an inch ahead. It is further argued that the applicant is behind bars from 04.03.2020 and allegation against him is only to the extent that he was found in possession



of three cartridges.

The learned Additional Public Prosecutor opposed the application.

According to the prosecution case, when the police party was proceeding for raid, it received information that three criminals are proceeding by a motorcycle after snatching money from two persons near Khoraganj School. That is how three riders on red colour motorcycle came to be accosted by the police. The applicant was one amongst them. From his possession, three cartridges were recovered.

The applicant is behind bars from 04.03.2020. The trial has not yet commenced. Hence even if the applicant is having some criminal antecedents, considering the period already undergone by the applicant as under-trial prisoner, he is directed to be released on bail in Crime No. 52 of 2020 registered with Uda Kishungnj Police Station for the offences punishable under Sections 25(1-b)a, 26, 35 of the Arms Act, on executing P.R. bond of Rs. 10,000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the



facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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