

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 36306 of 2022

Arising Out of PS. Case No.-14 Year-2022 Thana- MUSAHARI District- Muzaffarpur

RAJU PANDEY S/O LATE CHANDAN PANDEY Resident of Village-
Jhaphan P.S.- Ahiyapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Firoz Raza, Advocate

For the Opposite Party/s : Mr.Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 16-09-2022 Heard Mr. Syed Firoz Raza, learned counsel for the

petitioner and learned APP for the State in Virtual Court

Proceeding.

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

The case is registered under Sections 399/402/414 of
the Indian Penal Code, Sections 25 (1-b) a/26/35 of the Arms
Act and Sections 20/22 of the NDPS Act (NDPS Case No. 60 of
2022 in connection with Mushahri P.S. Case No. 14 of 2022.

As per the prosecution story, the police upon
information, formed a team, raided the place and apprehended
altogether five accused persons and it is alleged that amongst
others from this petitioner two live cartridges were
recovered/seized.



Learned counsel for the petitioner submits that although the case has been registered under Arms Act and NDPS Act, so far as this petitioner is concerned, as per the seizure list, only two live cartridges' recovery has been attributed to him.

Taking into account the aforesaid fact as also the seizure list coupled with the fact that the petitioner is in custody since 21.1.2022 (as stated in para-9 of the bail application), charge-sheet stands submitted, 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 1st Additional Sessions Judge, Muzaffarpur in connection with NDPS Case No. 60 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)

Ravi/Ajay Singh

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