

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36727 of 2022

Arising Out of PS. Case No.-221 Year-2021 Thana- NOKHA District- Rohtas

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Guddu Kumar Son of Late Chhotan Paswan, R/o Village- Karamdihari, P.S.-
Sasaram (Muffasil), District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umeshanand Pandit, Advocate.

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP.

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-09-2022 Learned counsel for the petitioner submits that due to inadvertence typing mistake occurred in the prayer portion of petition, the word “Chief Judicial Magistrate” has been typed instead of “Judicial Magistrate”, therefore he seeks permission to correct the same.

Permission granted.

Learned counsel for the petitioner is directed to correct the same in course of the day.

Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Nokha P.S. Case No. 221 of 2021, lodged under Sections 399,

402 & 414 of the Indian Penal Code read with Section 25(1-b)a, 26/35 of the Arms Act.

As per the prosecution case, the recovery of 4 live cartridges and one Samsung Mobile have been made from the possession of petitioner.

Learned counsel for the petitioner submits that petitioner innocent and has committed no offence. He further submits that petitioner is in custody since 11.10.2021 i.e. near about 11 months, he has having clean antecedent. He further submits that other co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide orders dated 11.07.2022 & 31.08.2022 passed in Cr. Misc. Nos. 14077 of 2022 & 13592 of 2022.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Rohtas at Sasaram in connection with Nokha P.S. Case No. 221 of 2021, subject to the conditions as laid down under Section

437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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