

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40521 of 2022

Arising Out of PS. Case No.-18 Year-2021 Thana- KASHICHAK District- Nawada

=====

SANJAY KUMAR @ SANJEEV KUMAR @ SANJEEV S/o Charitar
Chaudhary R/o village- Matokhar, P.S.- Sheikhpora, District- Sheikhpora

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Mr.Amit Kumar Rakesh

=====

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 06-09-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

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

The petitioner seeks bail in connection with S. Tr.
No. 341 of 2021/ 21 of 2021 arising out of Kashichak P.S. Case
No. 18 of 2021 registered for the offences punishable under
Sections 399, 400, 402, 413, 414 of I.P.C. and Sections 25(a) (1-
a), (1-aa), (1-b), (a,b), 26(1), (2), 35 of the Arms Act.

As per prosecution case, there is alleged recovery
of one country made pistol, two live cartridges and one
motorcycle from the possession of petitioner besides one
mobile.

Learned counsel for the petitioner submits that



petitioner is in custody since 31.01.2021 and bears criminal antecedent of three cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner is not owner of recovered motorcycle in question.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, 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 Additional Sessions Judge- IXth, Nawada in connection with S. Tr. No. 341 of 2021 / 21 of 2021 arising out of Kashichak P.S. Case No. 18 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will



remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

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

(Alok Kumar Pandey, J)

shahzad/-

U		T	
---	--	---	--

