

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39111 of 2022

Arising Out of PS. Case No.-55 Year-2022 Thana- PANDAUL District- Madhubani

GUDDU BHANDARI S/O SIYAKANT BHANDARI Resident of Village-
Mali Tol Jarhatiya, P.S.- Sakri District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Adv.

For the Opposite Party/s : Ms.Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 05-09-2022 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
Pandaul P.S. Case No. 55 of 2022 corresponding to G.R. No.
465 of 2022 registered for the offences punishable under
Sections 399, 402 of the Indian Penal Code and Section 25(1-
b)a/26/35 of the Arms Act.

As per prosecution case, there is alleged recovery
of one motorcycle, mobile as well as ten thousand rupees in
cash from the possession of petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 28.03.2022 and bears criminal



antecedent of one case. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that no incriminating article has been recovered from possession of petitioner. He further submits that seized motorcycle belongs to brother of the petitioner. So far as amount of Rs. 10,000/- as well as mobile is concerned, the same is own property of petitioner.

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, nature of allegation, 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 Chief Judicial Magistrate, Madhubani in connection with Pandaul P.S. Case No. 55 of 2022 corresponding to G.R. No. 465 of 2022, 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)

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