

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50410 of 2021

Arising Out of PS. Case No.-160 Year-2021 Thana- UCHKAGAON District- Gopalganj

Lal Babu Sharma @ Laloo S/O Chandeshwar Sharma R/O Village- Chawahi
Khas, P.S.- Majhagarh, District- Gopalganj, Pincode- 841428

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Kumar, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

4 22-02-2022 The applicant had claimed out of turn hearing on the ground of marriage of his sister and the learned Additional Public Prosecutor was given sufficient time to verify this fact.

The applicant is accused in Crime No. 160 of 2021 registered with Uchakagaon Police Station for the offences punishable under Sections 399, 402, 414 read with Section 34 of the Indian Penal Code as well as Sections 25(1-b)a/26/35 of the Arms Act. By this application he is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused as well as learned Additional Public Prosecutor appearing for the State.

I have considered the submissions so advanced and also perused the materials placed before me by the learned counsel appearing for the applicant as well as the learned Additional



Public Prosecutor.

The FIR of the subject crime is lodged by the police officer. It is case of the prosecution that on the basis of secret information, a spot which was at the railway underpass came to be raided. Seven accused persons came to be arrested on the spot. Two managed to flee away from there. Their search was conducted. In personal search of the applicant, according to the prosecution case, a country-made fire-arm came to be recovered. The prosecution is alleging that the accused persons had gathered for committing dacoity after preparation thereof.

The investigation of the subject crime is over. The applicant is not having any criminal antecedent as reported by his learned counsel.

In this view of the matter, I see no reason to refuse bail to the applicant as he has undergone pretrial detention since his arrest by the police and charge sheet has already been filed and, therefore, the order :-

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 160 of 2021 registered with Uchakagaon Police Station be released on bail 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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