

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51874 of 2021

Arising Out of PS. Case No.-472 Year-2020 Thana- MINAPUR District- Muzaffarpur

Shantnu Kumar Singh @ Shantanu Kumar Singh Son of Chitranjan Singh
Resident of Village - Boraha, P.S.- Belsand, District - Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 04-01-2022 Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical Court.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Minapur P.S. Case No. 472 of 2020 registered for the offences under Section 414/34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

According to FIR, one loaded pistol, two Oppo Company mobile phone, a white colour Apache motorcycle and a black jacket were recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. He further



submits that it appears from the FIR itself that one country-made pistol, one live cartridge , one motorcycle and one mobile have been recovered from possession of the petitioner. Learned counsel submits that nothing has been recovered from possession of the petitioner and petitioner has been dragged in this case only on the malicious intention of the police. He further submits that co-accused Mithun Kumar has been granted bail by a coordinate Bench of this Court vide order dated 23.11.2021 passed in Cr. Misc. No.48259 of 2021. The petitioner is in custody since 22.01.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that petitioner has got three criminal antecedents.

Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Muzaffarpur, in connection with Minapur P.S. Case No. 472 of 2020 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) 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.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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