

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45354 of 2022**

Arising Out of PS. Case No.-73 Year-2022 Thana- NATIONAL HIGHWAY District-
Samastipur

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SANJEET KUMAR SON OF LATE DHODHAI DAS R/O VILLAGE-
GADDOPUR, P.S.- N.H. BANGRA, DISTRICT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dilip Kumar Roy
For the Opposite Party/s : Mr.Madhuri Lata

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**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 24-11-2022 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 N.H.

Bangra P.S. Case No. 73 of 2022 registered for the offences

punishable under Section 414 of the Indian Penal Code read

with Sections 25(1-b)a, 26/ 35 of the Arms Act.

As per prosecution case, there is alleged recovery

of one loaded country made pistol alongwith one screen touch

mobile from the possession of petitioner.

Learned counsel for the petitioner submits that

petitioner is in custody since 19.06.2022. Petitioner bears no



criminal antecedent. 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 quite innocent and has not committed any offence as alleged against him in FIR. Petitioner has been falsely implicated in this case due to dirty village politics. No incriminating article has been recovered from the conscious possession of the petitioner.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides 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 Ms. Chanda Lal, Judicial Magistrate Ist Class, Samastipur in connection with N.H. Bangra P.S. Case No. 73 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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