

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58083 of 2021

Arising Out of PS. Case No.-6 Year-2021 Thana- JAHANABAD District- Jehanabad

Santosh Nut Son of Shiv Kumar Nut Resident of Village - Neya Tola Sub
Nema Dargahpar, P.S.- Athmal Gola, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gauri Shankar Thakur, Advocate.

For the Opposite Party/s : Mr. Raj Kishore Singh, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 06-04-2022 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

The present application has been filed on behalf of the petitioner, above named, for grant of regular bail to the petitioner who has been made accused and put behind the bars in connection with Jehanabad (Karauna) P. S. Case No. 06 of 2021 registered for the offences punishable under Sections 25 (1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, on the alleged date of occurrence, the Police apprehended two persons and one of the them disclosed the name of this petitioner on the basis of that the name of the petitioner has been implicated in the present case.

Learned counsel on behalf of the petitioner submits



that nothing has been recovered from the physical possession of this petitioner and it is stated that one country-made pistol has been recovered from the drainage. It is next submitted that co-accused Dhananjay Nut, whose name has also come on the confessional statement of co-accused, has already been granted bail by co-ordinate bench of this Hon'ble Court in Cr. Misc. No. 55449 of 2021 vide order dated 22.02.2022.

On the other hand, learned APP for the State draws the attention of this Court towards the antecedent of the petitioner that this petitioner has been found involved in one another case i.e. Jehanabad P. S. Case No. 745 of 2020, registered for the offence punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

In response, learned counsel for the petitioner submits that the said case was also registered against unknown and this petitioner is in custody since 04.01.2021. The investigation has been concluded and charge-sheet has already been submitted and the petitioner is undertaken to abide by the terms and conditions of this Hon'ble Court.

Having considered the submissions made on behalf of the parties and taking into account this fact that the name of the petitioner has come on the confessional statement of co-



accused and the recovery has been made from the drainage, let this petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Jehanabad in connection with Jehanabad (Karauna) P. S. Case No. 06 of 2021, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the trial.
- (ii) He will remain present on each and every date of trial till disposal of the case.
- (iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.
- (iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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