

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58570 of 2021**

Arising Out of PS. Case No.-88 Year-2021 Thana- HASPURA District- Aurangabad

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KAMLESH SINGH @ KAMLESH YADAV S/o LALDEV YADAV R/o
VILLAGE-CHAMAN BIGHA, P.S- HASPURA, DISTRICT-
AURANGABAD, AT PRESENT R/o HALDARGANJ MORE, P.S-
HASPURA, DISTRICT-AURANGABAD.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Umesh Kumar, Adv.
For the Opposite Party/s : Mr. Satyendra Prasad, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 03-02-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding

in physical mode in normal course.

Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with
Haspura P.S. Case No. 88 of 2021 registered for the offence
under Section 34 of the Indian Penal Code and Section 25(1-
b)a, and 26 of the Arms Act.

According to the F.I.R., Rs. 9300/- has been
recovered from the possession of the petitioner.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. He further submits that it is apparent from the seizure list itself, that only cash of Rs. 9300/- has been recovered from the conscious possession of the petitioner and so far as recovery of arms is concerned, the same has been recovered from the possession of the co-accused Raju Singh @ Rajesh Singh. This petitioner has no concern with the alleged arms. The petitioner is rotting in judicial custody since 03.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 J.M., Daudnagar, Aurangabad in connection with Haspura P.S. Case No. 88 of 2021 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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