

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59247 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- BELDOUR District- Khagaria

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NEERAJ KUMAR S/o Gajendra Yadav @ Gajendra Prasad Yadav R/o
village- Maina, P.S.- Sonbarsa Raj, District- Saharsa (Biahr)

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 60530 of 2021

Arising Out of PS. Case No.-96 Year-2021 Thana- BELDOUR District- Khagaria

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AYAN ARYAN @ AAYAN ARYAN Son of Narendra Prasad Yadav Resident
of Village- Mania, P.S.- Salakhua, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 59247 of 2021)

For the Petitioner/s : Mr.Raja Surendra Mohan

For the Opposite Party/s : Mr.Nawal Kishore Prasad

(In CRIMINAL MISCELLANEOUS No. 60530 of 2021)

For the Petitioner/s : Mr.Navnit Kumar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 22-06-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard Mr. Raja Surendra Mohan learned counsel for

the petitioner and Mr. Nawal Kishore Prasad learned A.P.P. for

the State.

The petitioners seek bail in connection with Beldour

P.S. Case No. 96 of 2021 registered for the offences punishable under Sections 399 and 402 of the Indian Penal Code as well as under Section 25(1-b)a, 26 and 35 of the Arms Act.

As per seizure list, one country made pistol as well as one live cartridge was recovered from the possession of petitioner Neeraj Kumar and one country made pistol was recovered from the possession of petitioner Ayan Aryan @ Aayan Aryan.

Learned counsel for the petitioners submits that petitioners are in custody since 16.05.2021 and bears no criminal antecedent. Chargesheet has already been submitted in the case and there is no likelihood of tampering the evidence.

The learned APP for the State vehemently opposes the prayer for bail of the petitioners.

Considering the facts and circumstances of the case as well as period of custody and keeping in view clean antecedent of petitioners and chargesheet has been submitted, let the petitioners above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand)each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Khagaria in connection with Beldour P.S. Case No. 96 of 2021, subject to following

conditions:-

(i) One of the bailor shall be either father or mother or sister or brother or wife or the person who sworn the affidavit in bail application.

(ii) Petitioners will co-operate in trial and will remain present on all dates and absence for two consecutive dates would be a ground for cancellation of bail by the learned Trial court itself.

(iii) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

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Gautam/-

(Alok Kumar Pandey, J)

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