

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61482 of 2021

Arising Out of PS. Case No.-192 Year-2021 Thana- BHORE District- Gopalganj

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PINTU KUMAR SINGH Son of Harendra Singh Resident of Village -
Dharha, P.S.- Bhore, Distt.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-02-2022 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 Bhore
P.S. Case No. 192 of 2021 registered for the offence under
Section 414 of the Indian Penal Code and Sections 25(1-b)a,
26 and 35 of the Arms Act.

The case relates to recovery of three country made
pistol along with three live cartridges and two motorcycles
without any registration.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been



implicated in this case. He further submits that according to the F.I.R., one live cartridge of 315 bore is said to have been recovered from the possession of the petitioner and two motorcycles are said to have been recovered from the joint possession of the petitioner and the co-accused. Although alleged recovery of arms and motorcycles is shown in the seizure list from the possession of the petitioner, but no any occurrence has been committed by the petitioner. Moreover, the co-accused, namely, Yogendra Kushwaha and Om Prakash Yadav having more or less similar allegation, have already been granted bail by a co-ordinate Bench of this Court vide order dated 17.12.2021 passed in Cr. Misc. No. 49594 of 2021. The petitioner is rotting in judicial custody since 06.05.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

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 C.J.M, Gopalganj in connection with Bhore P.S. Case



No. 192 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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