

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51656 of 2022

Arising Out of PS. Case No.-317 Year-2022 Thana- NAGAR District- Vaishali

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Amit Kumar @ Kacha Blood, S/o Ganaur Sahni, Resident of Mohalla-
Nakhash Chauk, Ander Kumar Bhart Bhart Road P.O. and P.S.- Hajipur
Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Awadhesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner is permitted to

remove the defect(s), as pointed out by the office, within a

period of four weeks from today.

Heard Mr. Awadhesh Kumar Singh, learned counsel
for the petitioner and learned APP for the State through video
conferencing.

The petitioner seeks regular bail, who is in custody in
connection with Hajipur Town P.S. Case No. 317 of 2022
registered for the offences punishable under Sections 399, 403
of the Indian Penal Code and Sections 25(1-b)a/26/34 of the
Arms Act.

As per prosecution case, it is alleged that while the
informant along with other police personnel were on patrolling



duty, they apprehended some miscreants and on search a knife was recovered from the possession of the petitioner. It is also alleged that some arms were also recovered from other co-accused persons.

Learned counsel for the petitioner submits that from the F.I.R. it is evident that one knife was recovered from the possession of the petitioner and save and except the aforesaid recovery, there is nothing against him. He further submits that in fact no recovery has been made from the possession of the petitioner, but as he was apprehended by the police, recovery has been shown from his possession. He further submits that the petitioner is a man of fair antecedent and is in custody since 20.04.2022, though the investigation of the crime is already complete.

On the other hand learned APP for the State opposes the bail application.

Regard being had to the submissions made on behalf of the parties and the materials available on record, which transpires that a knife has been recovered from the possession of the petitioner and he is in custody since 20.04.2022, having fair antecedent, let the petitioner, named above, 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, Vaishali at Hajipur in connection with Hajipur (Town) P.S. Case No. 317 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain physically 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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