

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53583 of 2022

Arising Out of PS. Case No.-360 Year-2021 Thana- SONO District- Jamui

SUNIL KUMAR DAS S/o Rajendra Das Resident of Village- Chayn, P.S-
Jhajha, Distt- Jamui

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Sono
P.S. Case No. 360 of 2021 registered for the offences punishable
under Sections 25(1-b)a, 26 of the Arms Act.

As per prosecution case, the petitioner was
apprehended by public with black coloured motorcycle
alongwith one loaded country made pistol and stolen purse in
which Rs. 330/- besides other documents were kept.

Learned counsel for the petitioner submits that
petitioner in para 8 of the bail petition it is wrongly mentioned
that petitioner is in custody since 15.12.2022 instead of



mentioning that petitioner is in custody since 15.12.2021 which is mentioned in impugned order. Petitioner bears four criminal antecedents. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Learned counsel further submits that the petitioner is innocent and has falsely been implicated in the present case. No T.I.P. has been conducted till today. Learned counsel further submits that the police have taken petitioner's signature on a plain paper and used that paper as seizure list.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Jamui in connection with Sono P.S. Case No. 360 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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