

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(BEFORE RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.64639 of 2021**

Arising Out of PS. Case No.-108 Year-2020 Thana- PIRBAHOR District- Patna

AMAN KUMAR, Son of Ganesh Prasad @ Gannu, Resident of Mohalla-
Shiv Durga Lane Gali, Near Law College, P.S.- Sultanganj, District- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Anil Kumar Singh
For the Opposite Party/s	:	Mr.Anil Kumar Singh No. 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 06-05-2022 Learned counsel for the petitioner undertakes to re-
move the defects as pointed out by the Stamp Reporter within
two weeks after start of normal functioning of this Court.

Heard learned counsel for the petitioner and Mr. Anil
Kumar Singh No. 1, learned APP for the State.

The petitioner in the present is seeking regular bail in
connection with Pirbahore P.S. Case No. 108 of 2020 registered
for the offences punishable under Sections 25(1-b)a/26/35 of the
Arms Act. The petitioner is in custody since 03.03.2020. He has
got one criminal antecedent in which he is on bail.

As per the prosecution story, in course of investiga-
tion of PIRBAHORE P.S. Cases No. 103 of 2020, the co-accused
Suraj Kumar was interrogated and in course of interrogation he



accepted that he along with the petitioner and the co-accused Chhedi had committed murder of Dhirendra and he had thrown pistol in a drain.

Learned counsel for the petitioner submits that except the confessional statement of co-accused in which the name of the petitioner has transpired, there is no other material against him. No fire-arm has been recovered from his possession and there is no independent witness in this case. It is further pointed out that the co-accused Suraj Kumar has already been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 18417 of 2021 on the ground of his custody and the another co-accused Chandan has been granted bail in Cr. Misc. No. 26002 of 2021 by another learned coordinate Bench of this Court. Yet another co-accused namely Chhedi has been granted bail in Cr. Misc. No. 57612 of 2021. The case of this petitioner stands on similar footing with the co-accused and better than the case of Suraj Kumar.

Mr. Anil Kumar Singh No. 1, learned A.P.P. for the State has though opposed the prayer for bail of the petitioner but has not controverted the submissions as noted hereinabove.

In the given facts and circumstances of the case where no other material except the confessional statement of the co-ac-



cused is said to be there against the petitioner and the co-ac-cused Suraj Kumar and others have been granted bail by learned coordinate Benches of this Court and further that the petitioner is in custody for about two years and three months approxi-mately and at this stage, this Court has been informed that the trial is not likely to be concluded in near future, this Court di-rects release of the petitioner above named on bail on furnishing of bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P.S. Case No. 108 of 2020, subject to the conditions as laid down under Section 437(3) of the Cr.P.C.

And further condition that in course of trial, if the pe-titioner fails to present himself on two consecutive dates, the learned court below shall take appropriate steps including for cancellation of the bail bond of the petitioner and take him into custody.

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 an-tercedent, 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.

The application stands disposed of accordingly.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court web-site under the heading 'Judicial Orders Passed During The Pandemic Period'.

