

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66667 of 2021

Arising Out of PS. Case No.-158 Year-2021 Thana- JANDAHA District- Vaishali

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LALTUN YADAV @ LALTUN KUMAR @ NITISH KUMAR Son of
Shivnath Rai Resident of Village - Arnia, P.S.- Jandaha, District - Vaishali.

... .. Petitioner.

Versus

The State of Bihar

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Bijay Bhushan Prasad, Advocate.
For the State : Mr. Choubey Jawahar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

2 10-02-2022 The applicant/accused in Crime No.158 of 2021 registered with Police Station-Jandaha for the offences punishable under Sections 399, 402 of the Indian Penal Code as well as Sections 25(1-b) a, 26/35 of the Arms Act, by this application is seeking his release on bail during the pendency of the trial.

The applicant is given out of turn hearing because he is appearing for the Matriculation Examination which is scheduled to be held from 17.02.2022.

Heard both sides. Perused the materials placed on record.

The police had received secret information on 25.07.2021 that few miscreants have assembled with firearms for the purpose of commission of dacoity. Accordingly, police went to the spot and witnessed 5-6 persons assembled at the spot.



Police apprehended two persons from the spot. One amongst them was the applicant/accused. From his possession, one country made firearm, three live bullets and one fighter apart from the cell phone came to be seized.

The applicant is behind the bars from 26.07.2021. He has no criminal antecedent. He is student and his Matriculation Examination is scheduled to be held from 17.02.2022. The investigation of the subject crime is over and therefore I see no reason to deny bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.158 of 2021 registered with Police Station-Jandaha for the offences punishable under Sections 399, 402 of the Indian Penal Code as well as Sections 25(1-b) a, 26/35 of the Arms Act, be released on bail on executing P.R. bond of Rs.10000/-(Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to



any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV). The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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