

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67841 of 2021

Arising Out of PS. Case No.-99 Year-2021 Thana- JANKINAGAR District- Purnia

NIRAJ KUMAR Son of Gajendra Paswan Resident of Village - Rajwadih,
P.S.- Janki Nagar, Distt.- Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-04-2022 Heard learned counsel for the petitioner and Mr. Dinesh Singh, learned APP for the State in Virtual Court proceeding.

Let the defect(s), as pointed out by the office, be removed within four weeks of start of normal functioning of the physical Court.

The petitioner is in judicial custody in Janki Nagar P.S. Case No. 99/2021 under Sections 25 (1-b)a, 26, 35 of the Arms Act.

As per the allegation, the police upon information intercepted three peoples of which one escaped and other two were apprehended. The petitioner was one of them. Upon search from his possession, one loaded country-made pistol as also the live cartridges and one mobile were recovered. He failed to give



any satisfactory answer and accordingly was taken into judicial custody.

Learned counsel for the petitioner submits that a charge-sheet has also submitted in the matter and he is already in jail since 26.05.2021 (as stated in paragraph 11 of the bail application).

Taking into the account the aforesaid fact, this Court is inclined to grant privilege of bail to the petitioner. However as he has criminal antecedent, certain conditions are necessary to be imposed while releasing him on bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount is to the satisfaction of learned C.J.M., Purnea in connection with Janki Nagar P.S. Case No. 99/2021, subject to the following condition;

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(ii) he shall appear before the concerned police station every fortnight for next six months to mark his presence.

(iii) he shall in no way try to induce or promise or



threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iv) if he indulges in any criminal offence once again, the State shall be at liberty to take steps for cancellation of the bail bonds;

Accordingly, the bail application is allowed with the aforesaid observation.

(Rajiv Roy, J)

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