

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67880 of 2021

Arising Out of PS. Case No.-60 Year-2021 Thana- MANJHAGARH District- Gopalganj

Md. Javed S/O Sagir Sah @ Sagir Sai R/o village- Bhojpurwa, P.S.-
Manjhagarh, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhilesh Kumar, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-04-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-B)a, 26(1), 35 of the Arms Act and 8(c), 21(a), 22(a) of NDPS Act.

As per prosecution case, in short, that the accused petitioner along with other accused persons used to commit occurrence of snatching on road in leadership of Md. Safi Alam and earlier they looted Lakhan Tiwari resident of village Dhama Pakar.

Learned counsel for the petitioner submits that the



petitioner has clean antecedents and he has been falsely implicated in the present case only on the basis of disclosure made by Nasir Ali. He further submits that it appears from the F.I.R. as well as seizure list that the petitioner was not apprehended from the spot and nothing incriminating articles has been recovered from the conscious possession of the petitioner. Similarly situated co-accused Vijesh Yadav @ Vijesh Kumar Yadav has been granted bail by this Court vide order dated 15.02.2022 in Cr. Misc. No. 33176 of 2021 and another co-accused namely Nasir Ali has been granted bail by this Court vide order dated 15.02.2022 in Cr. Misc. No. 52026 of 2021 respectively. The petitioner is in custody since 23.05.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Manjhagarh P.S. Case No. 60 of 2021, with the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedent, 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.

(Rajesh Kumar Verma, J)

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