

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35025 of 2023**

Arising Out of PS. Case No.-7 Year-2023 Thana- BIDUPUR District- Vaishali

CHHOTU KUMAR @ NAVIN KUMAR @ JASAR Son of Mohan Ray R/O  
Village - Phulpura, P.S.- Bidupur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Manish Chandra Gandhi, Adv.

For the Opposite Party/s : Mr. Anant Kumar 1, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      04-08-2023                      1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner, who is in custody since 12.01.2023 seeks bail, in connection with Bidupur P.S. Case No.07/2023, dated 11.01.2023, for the offences punishable under Sections 399, 402, 414 of the IPC & Section 25(1-b)a, 26 and 35 of the Arms Act.

3. According to prosecution case, one looted country made pistol and one motorcycle have been recovered from the possession of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that from bare perusal of the F.I.R. as well as seizure list, it appears that one looted country made pistol and



one motorcycle have been recovered from the possession of the petitioner and there is non-compliance of Section 100 of the Cr.P.C. He further submits that the motorcycle in question does not belong to the petitioner and the petitioner has no concern at all with the motorcycle in question. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 12.01.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried two criminal antecedent other than the present one.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Mukesh Kumar, J.M.1st Class, Vaishali at Hajipur in connection with Bidupur P.S. Case No. 07/2023, subject to 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 witnesses, 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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