

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53390 of 2023

Arising Out of PS. Case No.-2 Year-2021 Thana- NADI P.S. District- Bhagalpur

Ashok Thakur @ Ashok Thakur Samraat Son Of Late Lakhan Thakur
Resident Of Village - Puraini Basa, P.S. - Alamnagar, Distt. - Madhepura

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar

For the Opposite Party/s : Mr.Tarun Prasad Mandal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 25-08-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

2. Heard learned counsel for the petitioner and learned A.P.P for the State.

3. The petitioner has preferred this application for grant of regular bail in connection with Nadi P.S. Case No. 02 of 2021 dated 08.01.2021 registered for the offences punishable under Sections 307, 353 read with 34 of the Indian Penal Code and Sections 25(1-B)a, 26, 27 and 35 of the Arms Act.

4. As per the prosecution case, the co-accused disclosed the name of the petitioner and the co-accused persons when he was apprehended by police and later revealed that they



were successful in taking away one semi-automatic rifle, three country-made rifles and one country-made carbine.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is accused in 24 other criminal cases out of which he is on bail in 4 cases as stated in para 3 of the bail petition. The petitioner is in custody since 16.09.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Naugachia, Bhagalpur in connection with Nadi P.S. Case No. 02 of 2021, with the conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.



(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will have liberty to move for cancellation of his bail bonds.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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