

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56450 of 2023

Arising Out of PS. Case No.-842 Year-2022 Thana- DIGHA District- Patna

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Bablu Kumar Son Of Lal Saheb Ray Resident Of Mohalla- Gandhi Gali
Choutha, PS- Digha At Present Resident Of Mohalla- Rajeev Nagar Road No.
23, PS- Rajeev Nagar, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwanath Prasad Sinha, Sr. Advocate
Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-08-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with Sessions Trial No.466 of 2023, arising out of Digha P.S. Case No. 842 of 2022 for the offence punishable under Sections 401/34 of the Indian Penal Code and Sections 25(1-B)a/26/35 of the Arms Act lodged on 09.12.2022 by the informant Dinesh Kumar.

3. As per the prosecution story, the allegation is that upon information that accused persons are roaming, the police apprehended two accuseds and from this petitioner, country-made loaded pistol recovered/seized. This followed the FIR.

4. Learned Senior Counsel for the petitioner submits that only because of the criminal antecedent, the police keep



implicating him one after another case and in continuation the present FIR, the petitioner has already suffered by being in custody since 10.12.2022 (para-14 of the petition).

5. Learned APP opposes the prayer stating that he has number of criminal cases under his belt of the same nature.

6. Taking into account the aforesaid submissions put forward by the learned counsel for the parties, the petitioner has remained in custody since 10.12.2022, as stated above, will be facing the trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Sessions Judge-XXV, Patna, in connection with Digha P.S. Case No. 842 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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