

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57325 of 2023

Arising Out of PS. Case No.-139 Year-2023 Thana- KOILWAR District- Bhojpur

SHASHI RANJAN KUMAR @ SHASHIRANJAN S/O - BRAJESH
KUMAR SINGH R/O VILLAGE - BARAIYA TOLA, P.S. - MANER

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar No.1, Advocate

For the Opposite Party/s : Mr. Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 31-08-2023

Heard the parties.

The petitioner is an accused in connection with Koilawar P.S. Case No. 139 of 2023 registered for the offences under sections 399, 402, 414 and 120(B) of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act lodged on 13.03.2023 by the informant, Praveen Kumar.

As per the prosecution story, the allegation is that the police were in search of accused persons in connection with Koilwar P.S. Case No. 138 of 2023 and upon secret information regarding presence of the accused persons, intercepted them and upon search of this petitioner, a country made pistol with live cartridge, mobile phone as also cash were recovered/seized. Accordingly, the FIR.

It is the case of the petitioner that he has been



implicated in this case only because of his criminal antecedent and the police has shown recovery of arms. Further, nothing has been recovered from his conscious possession relating to the said loot, he is in custody since 13.03.2023 (as stated in paragraph 14 of the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail stating that he has criminal antecedent.

Considering the submissions put forward by the parties, he is in custody since 13.03.2023, is a young boy of 20 years, FIR lodged and will be facing the trial, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Koilwar P.S. Case No. 139 of 2023, 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/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for next one year to mark 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 his 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 the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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