

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55558 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- BANGAWON District- Saharsa

Kumarjit Kumar @ Kumarjit Pandit Son Of Arvind Pandit R/O Village-
Shahpur, Ward No.4, P.S. And Distt.- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Adv.

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 21-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

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

The petitioner seeks regular bail in connection with
Bangaon P.S. Case No. 130 of 2021 lodged under Sections 25(1-
b)a/ 26/35 of the Arms Act.

As per the F.I.R., the police reached on *Chinapool*
after receiving secret information from where 4 accused persons
were caught red handed. It has been alleged that upon search, 2
live cartridges were recovered from the possession of the
petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 06.10.2021. There is one criminal

case pending against him in which he is on bail. Counsel further submits that the confessional statement of one Prabhakar Kumar is also part of the F.I.R. in which the statement relating to murder is there. Counsel for the petitioner submits that in the said case in which murder took place, petitioner has not been made accused. He submits that 2 co-accused persons whose names have been figured in the present case have been granted bail by the Co-ordinate Bench of this Court vide Annexure-2 and 2/1.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Saharsa in connection with Bangaon P.S. Case No. 130 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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