

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71973 of 2022

Arising Out of PS. Case No.-318 Year-2022 Thana- JAMUI District- Jamui

Manish Kumar Son of Rupnarayan Singh Resident of Village - Ghatyami,
P.S.- Chandramandih, District - Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prakash Mahto, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 07-04-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail who is in custody since
06.07.2022 in connection with Jamui P.S. Case No. 318 of 2022,
F.I.R. dated 05.07.2022 for the offences punishable under
Sections 399/402 of the Indian Penal Code and Section 25(1-b),
a(ii), 26 and 35 of the Arms Act.

According to prosecution case, one loaded pistol along
with one live cartridge have been recovered from the possession
of the petitioner.

Learned counsel for the petitioner submits that



petitioner has falsely been implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that one loaded pistol and one live cartridge have been recovered from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 06.07.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that two cases are pending against the petitioner and he is on bail in one case.

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 the learned Chief Judicial Magistrate, Jamui in connection with Jamui P.S. Case No. 318 of 2022, 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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