

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.836 of 2023

Arising Out of PS. Case No.-367 Year-2022 Thana- SHASTRINAGAR District- Patna

Gobinda Kumar @ Govinda Kumar Son Of Banwari Sao, Resident Of Village
- Kab, P.S.- Ranitalab, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 25-03-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual mode

The petitioner seeks regular bail in connection with
Shastri Nagar P.S. Case No. 367 of 2022 lodged under Sections
25(1-b)a, 25-1(AA), 26 and 35 of Arms Act.

As per prosecution case, the recovery of arms has been
made from possession of the petitioner in the form of two live
cartridges.

Learned counsel for the petitioner submits that there
were four persons tried to flee but all were caught in this case.
Counsel further submits that petitioner has one criminal
antecedent in which he is on bail. He further submits that charge

sheet has already been filed against the petitioner and he is ready to appear before the court and he undertake that he shall appear before the court on every date as and when required. Counsel further submits that petitioner is in custody since 27.06.2022, about 9 months has lapsed. He further submits that other accused persons have been granted bail vide Annexure-2.

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 Sub-Judge-IX-cum-A.C.J.M., Patna in connection with Shastri Nagar P.S. Case No. 367 of 2022, 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 an 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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