

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 55499 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Subodh Kumar Son of Laxmi Paswan Resident of Village - Dighi Kala West
Gop Tola Ward No.- 3, P.S.- Hajipur Sadar, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 55639 of 2024

Arising Out of PS. Case No.-285 Year-2024 Thana- HAJIPUR SADAR District- Vaishali

Adarsh Raj @ Gaurav @ Golu Son of Arun Kumar Chaurasiya @ Arun
Chaurasiya R/V- VILLAGE- DHANE GORAUL WARD NO. 14, P.S.-
GORAUL, DISTT.- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 55499 of 2024)

For the Petitioner/s : Mr. Anuj Kumar, Adv

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

(In CRIMINAL MISCELLANEOUS No. 55639 of 2024)

For the Petitioner/s : Mr. Abhishek Kumar

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

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR

ORAL ORDER

3 26-10-2024

Re: Cr. Misc. No. 55499 of 2024.

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 285 of 2024 registered for the offence
punishable under Sections 399, 402, 412 of the Indian Penal



Code & Section 25(1-b)a, 26, 35 of Arms Act and Section 8 and 20(B), (ii)(c) of the NDPS Act.

3. As per the prosecution case, one live cartridge has been recovered from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner has clean antecedent.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. The recovery of 'charas' is from co-accused, Birju. The petitioner is in jail since 06.05.2024. The petitioner claims clean antecedent.

7. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Vaishali in connection with Hajipur Sadar P.S. Case No. 285 of 2024, subject to the following conditions:

(i) the petitioner, after being released on bail is directed to mark his attendance at Hajipur Sadar Police Station on every Sunday of each month. Any default



in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(ii) Before accepting the bail-bond of the petitioner, the court below will verify the antecedent of the petitioner. If the petitioner is found having clean antecedent, the bail-bond of the petitioner shall be accepted. If the petitioner is found having criminal antecedent(s), his bail-bond shall not be accepted by the court below.

Re: Cr. Misc. No. 55639 of 2024.

Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Hajipur Sadar P.S. Case No. 285 of 2024 registered for the offence punishable under Sections 399, 402, 412 of the Indian Penal Code & Section 25(1-b)a, 26, 35 of Arms Act and Section 8 and 20(b), (ii)(c) of the NDPS Act and later on, Section 29 of the NDPS Act is added.

3. As per the prosecution case, one live cartridge and one motorcycle have been recovered from the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Nothing



incriminating material has been recovered from the petitioner.

5. Learned APP appearing for the State opposes the prayer for regular bail of the petitioner.

6. The recovery of ‘charas’ is from co-accused, Birju. The petitioner is in jail since 06.05.2024.

7. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Sessions Judge, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 285 of 2024, subject to the following conditions:

(i) the petitioner, after being released on bail is directed to mark his attendance at Hajipur Sadar Police Station on every Sunday of each month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.

(Sandeep Kumar, J)

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