

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13584 of 2025

Arising Out of PS. Case No.-211 Year-2024 Thana- KOPA District- Saran

1. Kaku Nat @ Kakku Nat Son of Mundrika Nat Resident of Village - Kopa, P.S. - Kopa, District - Saran at Chapra
2. Judge Nat @ Juj Nat Son of Mundrika Nat Resident of Village - Kopa, P.S. - Kopa, District - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Adv.

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 28-02-2025 Heard the learned Advocate for the petitioners and the learned APP for the State.

2. The petitioners seek regular bail, who are in custody in connection with B.P. No. 109 of 2025, arising out of Kopa P.S. Case No. 211 of 2024, registered for the offence punishable under Sections 310(4) and 310(5) of the BNS Act, 2023 and Sections 21(1-b)a, 26 and 35 of the Arms Act.

3. The police on a tip of assemblage of miscreants conducted raid and apprehended five persons, including the petitioners. No recovery has been made from possession of the petitioners, however, one country made pistol and a live cartridge were recovered, from possession of co-accused Soharam Nat and one folded knife was recovered from the



co-accused *Hussain Nat.*

4. Learned Advocate for the petitioners referring to the FIR contended that admittedly nothing has been recovered from the possession of the petitioners, though they were apprehended by the police from the place of occurrence. It is further contended that in fact one past criminal antecedent is the reason for their false implication. Now the petitioners have been incarcerated since 24.11.2024 and the investigation of the crime is complete.

5. On the other hand, learned APP for the State vehemently opposes the bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that no incriminating material has been recovered from the possession of the petitioners and the crime, in question, is triable by the Magistrate, let the petitioners, named above, be released on bail on furnishing bail bonds of Rs. 5,000/- (Rupees five thousand) **each** with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Chapra in connection with B.P. No. 109 of 2025, arising out of Kopa P.S. Case No. 211 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioners with further



conditions which are as follows:-

(i) The petitioners will cooperate in conclusion of the trial.

(ii) They will remain present on each and every date of trial till disposal of the case.

(iii) They will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioners and in case, at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioners. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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