

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 71653 of 2019

Arising Out of PS. Case No.-286 Year-2019 Thana- Kaji Muhammadpur District- Muzaffarpur

Rajkishore Mukhiya @ Raj Kishore, Son of Shri Pradeep Mukhiya, Resident of Mohalla - Ward No. 14, Harpur Pusa, District- Samastipur, Presently residing at Mohalla - Aghoriya Bazar, Near Lalit Narayan Mishra Tirhut College, P.S.- Kajimuhammadpur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-11-2019 Heard learned counsel for the parties and perused the case diary.

Petitioner apprehends his arrest in a case registered for the offence punishable under sections 25(1-B)/26 Arms Act.

Prosecution case is that on a secret information received by the police, raid was conducted in the house of one Manoj Sharma from where one country made pistol with one live cartridge was recovered. It is further alleged that this petitioner also used to visit the room.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and there is no material against the petitioner to substantiate that this petitioner



was residence of the aforesaid room. There is nothing recovered from the conscious possession of the petitioner. It is further submitted that petitioner has got no criminal antecedent in fact, petitioner is a student of B.Com. Final Year of R.D.S. College and is neither owner nor resident of that house.

Learned counsel for the State opposes the prayer for bail.

In the aforesaid facts and circumstances of the case, let the above named petitioner be released on bail in the event of his arrest or surrender before the Court below within a period of six weeks from the date of receipt of the order, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Sub-Judge, 1st-cum-A.C.J.M., 1st (East), Muzaffarpur, in Kajimuhammadpur Police Station Case No.286 of 2019, G.R. No. 4025 of 2019, on 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 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 of the petitioner.

(Prabhat Kumar Singh, J)

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