

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 15352 of 2020**

Arising Out of PS Case No.-173 Year-2019 Thana- DEORIYA District- Muzaffarpur

Raja Kumar, aged about 20 years, Son of Late Umesh Mahto, Resident of Village - Mohabbatpur, P.S.- Deoriya, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Chandra, Advocate
For the State : Dr. Ajeet Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH**

ORAL JUDGMENT

Date : 12-06-2020

The matter has been heard *via* video conferencing due to lockdown imposed on account of the COVID-19 pandemic.

2. Heard Mr. Anish Chandra, learned counsel for the petitioner and Dr. Ajeet Kumar, learned Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

3. The petitioner is in custody in connection with Deoriya PS Case No. 173 of 2019 dated 02.12.2019 instituted under Sections 25(1-B)(a), 26 and 35 of the Arms Act.

4. The allegation against the petitioner is that from his pocket, one countrymade pistol loaded with one cartridge and also another live cartridge has been recovered along with a mobile set.



5. Learned counsel for the petitioner submitted that the petitioner has been falsely implicated. It was submitted that the petitioner has no other criminal antecedent and is in custody since 02.12.2019.

6. Learned APP submitted that there has been recovery of firearm and cartridges from the petitioner.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate Ist Class/Successor Court, Muzaffarpur in Deoriya PS Case No. 173 of 2019 subject to the conditions (i) that one of the bailors shall be a close relative of the petitioner, (ii) that the petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner, and (iii) that the petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or being absent



on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

8. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P.Kumar/Anand Kr.

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