

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13797 of 2021**

Arising Out of PS. Case No.-600 Year-2020 Thana- BRAHMPUR District- Buxar

OM PRAKASH SINGH Son of Late Baban Singh Resident of Village -
Chhatanwar, P.S.- Brahampur (Krishna Braham O.P.), Distt.- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh
For the Opposite Party/s : Mr.Khurshid Anwar, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 30-06-2021 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Brahampur (Krishna
Brahampur OP) P.S. Case No. 600 of 2020, registered for the
offence punishable under Sections 25(1-b)a, 26 and 35 of the
Arms Act.

As per the prosecution case, one loaded country made
pistol and one live cartridge has been recovered from possession
of this petitioner.

It is submitted on behalf of the petitioner that nothing
has been recovered from conscious possession of this petitioner
and he has falsely been implicated in this case by the police.



Petitioner claims clean antecedent and he is in custody since 13.11.2020.

Considering the period of custody coupled with the fact that petitioner has got clean antecedent, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Buxar in connection with Brahampur P.S. Case No. 600 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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