

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18124 of 2021

Arising Out of PS. Case No.-265 Year-2020 Thana- BARAUNI District- Begusarai

Kare Kumar @ Naveen Mahto (M) aged about 22 years, son of late Baldeo Mahto Resident of Village- Simariya Ghat Bind Toli, P.S- Barauni (Chakiya), Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Randhir Kumar No.1, Adv.

For the Opposite Party/s : Ms. Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 26-10-2021 Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for short 'APP') for the State.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant case for depositing the requisite court fee and to remove the defects as pointed out by office when called upon to do so by the office.

The petitioner seeks bail in Barauni PS Case No. 265 of 2020 instituted for the offence under Section 25(1-b)a/26 of the Arms Act.

There is alleged recovery of one country made pistol and one live cartridge.

The petitioner is stated to be in custody since 23.07.2020. It is submitted that petitioner has four criminal antecedents in



which he is on bail. His implication in the earlier cases forms the basis of his false implication in the instant case. Recovery is not in accordance with law.

The learned APP representing the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court, for the purposes of grant of bail, is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner, above named, be released 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 Judicial Magistrate-1st Class, Begusarai, in connection with Barauni PS Case No. 265 of 2020, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail



bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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