

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23168 of 2021**

Arising Out of PS. Case No.-524 Year-2020 Thana- LAKHISARAI District- Lakhisarai

MANOJ SINGH JSON OF JAGDAMBI SINGH @ JAGDAMBI SHARAN
SHARMA RESIDENT OF VILLAGE AURE, P.S. RAMGARH CHOWK,
DISTRICT- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Bijendra Kumar, Adv. Ms.Nutan Kumari, Adv. Ms.Pravina Kumari, Adv.
For the Opposite Party/s	:	Mr.Pramod Kumar Pandey, APP

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

3 26-10-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Lakhisarai
(Ramgarh Chowk) P.S. Case No.524 of 2020, registered for the
offence punishable under Sections 25(1-A) (1-AA) (1-AC),
25(1-b)A, 26(1)(ii), 35 of the Arms Act.

The prosecution case in short is that the petitioner was
arrested from his house. The police party raided the house of
Karu Singh, which is accused in Ramgarh P.S. Case No.274 of
2020 but in course of search at the Duwari of accused, several
articles such as two drill machine, welding machine, Bas of
iron, 6 live pill of 303, two pill of 315 bore, barrel of one old



pistol, barrel of one half made pistol, one striker of iron, bolthead of gun, piece of wood used for making arms were recovered from *duwari* of accused house. On inquiry, petitioner could not give any satisfactory reply regarding these recovered materials.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has not committed any offence as alleged in the FIR. No offence as alleged has ever taken place. He has been falsely implicated in this case due to village politics. The petitioner has no concern with the alleged place of occurrence, but the same door is outside the house and is in joint possession with the co-sharers and also the same was used to be closed since last several years. No incriminating article has been recovered from the conscious physical possession of the petitioner. The petitioner has no criminal antecedent and has been languishing in custody since 12.10.2020.

Learned APP for the State opposed the prayer for bail by submitting that the petitioner is the manufacturer of the arms.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five



Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Lakhisarai, in connection with Lakhisarai (Ramgarh Chowk) P.S. Case No.524 of 2020, subject to the following conditions:

(1) One of the bailors will be own close relative of the petitioner who will give on affidavit genealogy as to how he is relative to petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.

(2) The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

(3) The petitioner shall remain physically present in the court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State



shall be at liberty to move for cancellation of bail.

(5) The petitioner shall appear before the Police Station of his local area in the first week of each month till the disposal of the present case.

(Anjani Kumar Sharan, J)

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