

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25595 of 2021**

Arising Out of PS. Case No.-403 Year-2020 Thana- SIWAN MUFFASIL District- Siwan

SONU @ PIPI @ SONU KUMAR SINGH S/o Late Binda Singh Resident of
Village- Suwahi, P.S.- Siswan, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Adv

For the Opposite Party/s : Mr.Ajit Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER**

3 01-12-2021 Heard Shri Ravindra Kumar, learned counsel appearing
on behalf of the petitioner and Shri Ajit Kumar, learned APP
appearing on behalf of the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner who is in custody since 06.09.2020 seeks
regular bail in connection with Siwan Muffasil (Mahadwa O.P.)
P.S. Case No. 403 of 2020 registered for offences punishable under
Section 25(1-b)a/26 of the Arms Act.

It is the case of the prosecution that near Rajendra
Lodge some suspicious persons were searched and one country-
made pistol and two live cartridges were recovered from the
possession of the petitioner and seizure list was prepared and two
chaukidar put their signature as the witness and a copy of seizure



list was also handed over to the petitioner.

Learned counsel on behalf of the petitioners submits that no incriminating article has been recovered from the possession of the petitioner. He has falsely been implicated in this by his uncle to grab his property. Learned counsel on behalf of the petitioner further submits that petitioner is in custody since 06.09.2020 and in support of his submission he submits that he has made a specific statement in paragraph 8 to the petition.

Learned A.P.P. appearing on behalf of the State submits that petitioner is a habitual offender and in paragraph no. 68 of the case diary the detail of his crime has been recorded and as such the petitioner does not deserve to be released on bail.

Considering the above mentioned facts and circumstances, the petitioner who is languishing in custody since 06.09.2020, this Court directs the Court below to release the petitioner on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with Siwan Muffasil (Mahadwa O.P.) P.S. Case No. 403 of 2020 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court.

(iii) If the petitioner tempers 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.

(Purnendu Singh, J)

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