

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33386 of 2021

Arising Out of PS. Case No.-723 Year-2020 Thana- AHIYAPUR District- Muzaffarpur

Santosh Kumar Son of Kuldip Ray Resident of Village- Sadatpur, P.S.- Kanti,
District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Verma

For the Opposite Party/s : Mr.M.K.Khare

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 02-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Ahiyapur P.S. Case No. 723 of 2020, registered for the offence under Sections 25(1-b)A / 26 of the Arms Act.

One loaded country-made pistol has been recovered from the possession of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from the conscious possession of the petitioner. Petitioner has got clean antecedent and he is in custody since 04.09.2020. Chargesheet has been submitted.

Learned A.P.P. for the State has opposed the bail petition.



Considering the aforesaid facts and circumstances as well as period of custody and clean antecedent of the petitioner, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Chief Judicial Magistrate, Muzaffarpur in connection with Ahiyapur P.S. Case No. 723 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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