

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33635 of 2021

Arising Out of PS. Case No.-616 Year-2020 Thana- PHULWARISHARIF District- Patna

Niranjan Kumar Son Of Sri Naresh Ram R/v- Khwaja Imli, P.S.-
Phulwarisharif, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-12-2021 Let the defects, if any, be removed within four weeks
of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Phulwarisharif P. S Case No. 616 of 2020 for the offences
punishable under Section 25(1-b)a, 26 of the Arms Act.

On Patrolling duty when police personnel reached
near Mahavir Cancer Sansthan they saw one person coming
from Khojaemali with arms. After seeing police personnel, he
tried to flee away but caught by the police and disclosed his
name Niranjan Kumar.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has been falsely



implicated in this case. It appears from the F.I.R that one country made loaded pistol and one live cartridge were recovered from possession of the petitioner. Petitioner was not arrested on the spot nor any incriminating article was recovered from his possession. Petitioner is in jail custody since 15.11.2020.

The learned A.P.P opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances as well as submissions of the parties and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IX, Patna in connection with Phulwarisharif P.S.Case No. 616 of 2020, subject to the following conditions;-

1. 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 on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioner tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

N.K/-

U		T	
---	--	---	--

