

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39346 of 2021

Arising Out of PS. Case No.-493 Year-2020 Thana- BARAUNI District- Begusarai

Om Prakash Kumar S/o Ramashry Yadav @ Aashrai Resident of Village-
Missi, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binit Kumar

For the Opposite Party/s : Mr.Braj Kishore Pd.(APP)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-10-2021 Heard both parties.

The petitioner seeks bail in Barauni P.S. Case No. 493 of 2020, registered for the offence punishable under Sections 25(1-B)a, 26 and 35 of the Arms Act.

As per the prosecution case, 04 country made pistol with magazine, 03 empty magazines and 55 live cartridges and 01 mobile of Samsung Company have been recovered from possession of this petitioner.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. Nothing has been recovered from conscious possession of this petitioner. Petitioner has got clean antecedent and he is in custody since 17.12.2020.

Considering the period of custody coupled with the



fact that petitioner bears clean antecedent, the petitioner above-named, is directed to be enlarged 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 Chief Judicial Magistrate, Begusarai in connection with Barauni P.S. Case No. 493 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers 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.

(Prabhat Kumar Singh, J)

vinita/-

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