

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6394 of 2021

Arising Out of PS. Case No.-222 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

Rajesh Singh S/O Basawan Singh R/O Village-Nidhua, P.S.-Buxar (M),
District-Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 13-04-2021 Heard learned counsel for the parties through virtual mode.

The petitioner seeks bail in Buxar (M) P.S. Case No. 222 of 2020, registered for the offence under Sections 25(1-b)a, 26, 35 of the Arms Act.

As per the prosecution case, one country-made rifle (.315 bore), one country-made *katta* (.315 bore) and two live cartridges have been recovered from the house of the petitioner.

It is submitted on behalf of petitioner that nothing has been recovered from conscious possession of the petitioner and the alleged recovery has been made from the house, which is in joint possession. Petitioner claims clean antecedent and he is in custody since 17.07.2020.

Considering the fact that no arms has been recovered



from the possession of the petitioner coupled with the fact that petitioner has got clean antecedent, the bail application 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, Buxar in connection with Buxar (M) P.S. Case No. 222 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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