

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9327 of 2021**

Arising Out of PS. Case No.-233 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

Sachin Kumar @ Chhotu Kumar, S/O Yogendra Yadav, R/O Village Baburahi,
P.S. Sahebpur Kamal, District Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashok Kumar, Adv.
For the Opposite Party/s : Mr.S.M.Rahman, APP

=====

**CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER**

2 06-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to
remove the defects as pointed out by the office within four
weeks of normal functioning of the court, failing which the
office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 25(1-B)a/26/35 of the Arms
Act.

The allegation against the petitioner is that he
alongwith his co-accused were arrested and from the possession
of the petitioner one live cartridge recovered whereas from the
possession of the co-accused one loaded country made pistol



recovered.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. According to FIR, there is recovery of one live cartridge from the possession of the petitioner and recovery of one loaded country made pistol from the possession of the co-accused. The petitioner is languishing in judicial custody since 18.08.2020. The petitioner has got 01 criminal antecedent which is mentioned in para 3 of the bail petition.

Learned APP for the State opposes the prayer for bail of the petitioner.

Considering the custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with S.Kamal (Sahebpur Kamal) P.S. Case No. 233/2020 to the satisfaction of learned Court below where the case is pending; subject to the following conditions:

(1) that one of the bailors will be a close relative of the petitioner, who will be given an affidavit giving genealogy as to how he is related with the petitioner. He will also undertake to inform the Court if there is any change in the



address of the petitioner.

(2) that the bailor shall also state on affidavit that he will inform the Court concerned if the petitioner is implicated in any other case of similar nature after his release in the present case and thereafter the Court below will be at liberty to initiate proceeding for cancellation of bail on the ground of misuse.

(Anjani Kumar Sharan, J)

amitkumar/-

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

