

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8144 of 2021**

Arising Out of PS. Case No.-115 Year-2020 Thana- BACHHWARA District- Begusarai

Hemant Rai Aged About 27 Years S/O Late Raj Kumar Rai R/O Village-
Chamta (Gop Tola), P.S.- Bachwara, District- Begusarai

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha, Advocate

For the Opposite Party/s : Sharda Kumari, Addl Public Prosecutor

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 24-05-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 25(10b)a/26 of the Arms Act.

As per the prosecution case, on secret information raid was conducted and petitioner was arrested and on search a loaded country made pistol and three live cartridges were recovered from him.



Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. No incriminating material has been recovered from the conscious possession of the petitioner. As per paragraph 3 though the petitioner is accused in 8 criminal cases, he is on bail in all of them. Petitioner is in custody since 11.6.2020 and charge sheet has already been submitted.

Considering the facts and circumstances of the case coupled with the fact that charge sheet has already been submitted and petitioner is in custody since 11.6.2020, let the petitioner, mentioned above, 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 Chief Judicial Magistrate, Begusarai in Bachwara Police Station Case No. 115 of 2020 on 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 his/her absence on two consecutive dates without sufficient reason, his/her 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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