

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2278 of 2022

Arising Out of PS. Case No.-422 Year-2021 Thana- SURSAND District- Sitamarhi

Sundaram Chaudhary @ 4g Son of Rajiv Ranjan @ Rajiv Chaudhary
Resident of Village- Maidan, P.S.- Sursand, District- Sitamarhi.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar
For the Opposite Party/s : Mr.Umanath Mishra

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

3 18-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Sursand
P. S. Case No. 422/2021 registered for the offences punishable
under Sections 25(1-B)a and 26 of the Arms Act.

As per prosecution case, there is alleged recovery of
one loaded country made pistol alongwith one live cartridge
from the pocket of the petitioner. The petitioner was
apprehended on the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. The petitioner is languishing in custody since 11.09.2021



and bears criminal antecedent of four cases in which two are of similar nature. Charge sheet has been submitted in this case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has already been submitted in this case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, let the petitioner above named be released on bail **after framing of charge**, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Pupri, Sitamarhi in connection with Sursand P. S. Case No. 422/2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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