

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2841 of 2022

Arising Out of PS. Case No.-873 Year-2021 Thana- NAGAR District- Vaishali

Om Singh @ Rishi Raj, S/o Anil Singh, Resident of Mohalla - Hathsarganj,
P.S. - Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Singh, Advocate
For the Opposite Party/s : Mr.Jagdhari Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 01-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Hajipur Town Case No. 873 of 2021 registered
for the offences punishable under Sections 399 and 402 of the
Indian Penal Code and Section 25(1-b)A, 26 and 35 of the Arms
Act.

As per prosecution case, police received
information about an assembly of miscreants for committing
some big crime. The identified place was raided and the
petitioner and other co-accused persons were apprehended from
the spot and some other co-accused persons fled away from the



scene. From the possession of this petitioner a loaded country made pistol with one live cartridge and another live cartridge from his pant were recovered.

The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner has been arrested on suspicion as he has been going to his relative's house and his signatures were forcibly taken on blank papers. The petitioner is a student of B.A and has got no concern with other co-accused persons. The petitioner is in custody since 01.11.2021 and charge-sheet has been submitted against him. The petitioner is having clean antecedent.

Learned APP opposes the prayer for bail submitting that the recovery of a country made pistol along with live cartridges have been made from this petitioner.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner along with his period of custody and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial



Magistrate, Vaishali at Hajipur in connection with Hajipur Town
P.S. Case No. 873 of 2021, subject to the conditions mentioned
in Section 437(3) of the Cr.P.C. and the following conditions:

(i) One of the bailors will be close relative of the
petitioner.

(ii) The petitioner will remain present on each and
every date fixed by the court below.

(iii) In case of absence on three consecutive dates
or in violation of the terms of the bail, the bail
bond of the petitioner will be liable to be
cancelled by the court concerned.

(Arun Kumar Jha, J)

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