

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3321 of 2022

Arising Out of PS. Case No.-75 Year-2021 Thana- BHADAUR District- Patna

BIKASH KUMAR Son of Kashi Mahto Resident of Village - Pokharpar, P.S.-
Bhadaur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-04-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The present case has been taken out of turn based on the mentioning made by the learned counsel for the petitioner that the sister of the petitioner is getting married to Yananth Kumar on 04.05.2022.

The petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is in custody since 08.10.2021, is a person with clean antecedent and charge-sheet has been submitted in the case.

Allegation is of recovery of one country-made rifle along with three live cartridges from the possession of the



petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and nothing was recovered from his conscious position.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 08.10.2021, is a person with clean antecedent and charge-sheet has been submitted in the case, let the petitioner above named be **released on provisional bail** on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Bhadaur P.S. Case No. 75 of 2021 with a condition that one of the bailors shall be the father of the petitioner, Kashi Mahto.

The learned court below will seek a report from the City (S.P.), Patna that as to whether the sister of the petitioner is getting married or not on 04.05.2022. In the event, if the report records that the Court was misled for the purposes of bail, then the learned court below shall take all coercive steps to ensure that the petitioner is taken back in custody.



In the event, if the report confirms that the sister of the petitioner is getting married on 04.05.2022, the learned court below shall immediately confirm the provisional bail of the petitioner.

(Satyavrat Verma, J)

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