

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5240 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- JAKKANPUR District- Patna

Arvind Rana @ Prem Rana, Son Of Late Anirudh Vishwakarma @ Anurodh Vishwkarma, R/O Village- Parsa Bazar (NEAR Durga Shiv Mandir), Near Parsa Flour Mill, Renter In The House Of Hemant, P.S.- Parsa Bazar, Dist.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 20-07-2022 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 from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Jakkanpur P.S. Case No. 393 of 2021 registered for the alleged offences under Sections 25(1-b)a/26 of the Arms Act.

Allegedly, from the petitioner, a country made loaded pistol along with four live cartridges and one empty magazine were recovered.

The learned counsel for the petitioner submits that



there is discrepancy in lodging the FIR and the preparation of seizure list. Though the occurrence is of 14.08.2021, the FIR has been sent to the learned Magistrate on 16.08.2021 and the petitioner was produced on 16.08.2021 only. The petitioner has been falsely implicated in this case as he had gone to catch up a bus from the Bus Stand and he is not connected in any way to the arms recovered. The charge-sheet has been submitted in this case and the petitioner is in custody since 16.08.2021. In two of the cases, in which the petitioner is an accused, he has been granted bail by the learned court below.

Learned APP opposes the prayer for bail submitting that the country made pistol and live cartridges were recovered from the petitioner.

Perused the records.

Having regard to the submissions made hereinabove and considering the fact that the charge-sheet has been submitted in this case and the petitioner is in custody since 16.08.2021, 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 Additional Chief Judicial Magistrate-1st, Patna, in connection with Jakkanpur P.S. Case No. 393 of 2021,



subject to the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on each and every date fixed by the court below.
- (iv) 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)

balmukund/-

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

