

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5713 of 2022**

Arising Out of PS. Case No.-149 Year-2021 Thana- KAKO District- Jehanabad

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DHARMRAJ KUMAR SON OF LALMUNI PRASAD RESIDENT OF  
VILLAGE- PALIPAR, P.S. ANGARI, DISTRICT- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

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**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      13-06-2022                      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 today.

In the present case, the petitioner seeks bail in  
connection with Kako P.S. Case No. 149 of 2021 registered for  
the alleged offences under Section 414 of the Indian Penal Code  
and sections 25(1-B)a, 26 and 35 of the Arms Act.

Allegedly, the petitioner was apprehending with one  
live cartridge and other stolen articles including motorcycle and  
mobile phone.

Learned counsel for the petitioner has submitted that  
the no case under the Arms Act is made out against the  
petitioner as only one live cartridge has been recovered from the



possession of the petitioner. Motorcycle belongs to co-accused and mobile phone was not stolen property. Petitioner is in custody since 11.10.2021 and though he has two criminal cases against him but in which he has been granted bail by the learned court below.

Learned APP has opposed the prayer for bail, submitting that recovery of one live cartridge has been made from the possession of the petitioner and he has criminal antecedent.

Having regard to the submission made hereinabove and considering the period of custody, 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 Addl. Chief Judicial Magistrate, Jehanabad/court concerned in connection with Kako P.S. Case No. 149 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, preferably one of the parents.
- (iii) The petitioner will remain present on each and every date fixed by the court below.



(iv) In case of absence for 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)**

s.hassan/-

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