

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6467 of 2022

Arising Out of PS. Case No.-201 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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Bambam Mahto @ Ram Pravesh Mahto, Son of Late Horil Mahto, Resident
of Village - Samsa, P.s.- Nowkothi, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 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 Sahebpur Kamal P.S. Case No. 201 of 2020
registered for the alleged offences under Sections 25(1-b)a and
26 of the Arms Act.

The prosecution case is that police received secret
information about this petitioner moving with illegal firearm
and a raid was conducted at the identified place. The petitioner
was apprehended with two country made loaded pistols



containing two live cartridges and three live cartridges from the pocket of the petitioner.

The learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. It is very surprising that the informant without seeing records mentioned all the criminal cases pending against the petitioner. It shows the false implication. The charge sheet has been submitted in this case and this petitioner is in custody since 23.06.2020.

Learned APP opposes the prayer for bail submitting that the petitioner is having a criminal history and he is habitual offender. Apart from the instant case, 27 other cases have been registered against this petitioner and most of them are for very heinous offence.

Notwithstanding the criminal antecedent of the petitioner, having regard to the nature of allegation against the petitioner and considering the period of custody of this petitioner, 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 Judicial Magistrate-1st Class, Begusarai in connection with Sahebpur Kamal P.S. Case No. 201 of 2020,



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 not commit offence of similar nature in future.
- (iv) The petitioner will remain present on each and every date fixed by the court below.
- (v) 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)

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