

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8807 of 2022**

Arising Out of PS. Case No.-568 Year-2021 Thana- SUPAUL District- Supaul

MD BABLU Son of Md. Mokim Resident of Village - Chakla Nirmali, Ward  
no.06, P.S.- Supaul, Dist.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms.Patla Kumari, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      29-06-2022                      Let the defects, as pointed out by the office, be  
  
removed within four weeks of starting of Court proceeding in  
  
physical mode in normal course.

Heard learned counsel for the petitioner and learned  
APP for the State.

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

As per the prosecution story, the informant has  
alleged that on secret information that three persons are coming  
on motorcycle with gun, he along with other police personnel  
rushed towards engineering college and saw three persons are  
trying to escape on seeing police, but they were caught by police  
and on search one country made pistol was recovered from Md.



Ibran.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. He further submits that it appears from the FIR as well as seizure list that no incriminating article has been recovered from possession of the petitioner rather incriminating article has been recovered from co-accused, namely, Md. Ibran and he has already been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 20.05.2022 passed in Cr. Misc. No.935 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 07.08.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Supaul P.S. Case No. 568 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

Nitesh/-

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