

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7332 of 2022

Arising Out of PS. Case No.-217 Year-2021 Thana- TEGHRHA District- Begusarai

Aditya Kumar Son Of Dharmendra Singh R/O Village- Dinkar Gram
Simariyat, Ward No.01, P.S.- Barauni (CHAKIYA O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Ram Sumiran Rai, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within four
weeks from today.

The petitioner seeks regular bail in connection with
Teghra P.S. Case No. 217 of 2021 instituted for the offences
under punishable Sections 25(1-b)a and 26 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 10.07.2021, charge-sheet has been
submitted in the case and has antecedent of two cases.

The prosecution case in short is that the informant
along with two other police personnel were proceeded on the
information that one boy with riding of black Pulsar motorcycle
was moving and the aforesaid information, he reached near



office of Nagar Parishad then one boy flee away towards Daniyalpur pond and police party chased him and he caught by the police and during the course of investigation, he disclosed his name as Aditya Kumar (petitioner) and recovery of one loaded country made pistol and two live cartridges were recovered from his possession.

Learned counsel for the petitioner submits that the petitioner is a student of Class-XI and when he was returning from his coaching centre on his motorcycle then he was stopped by the police. It is further submitted that the petitioner did not fulfill the illegal demand of police then the police falsely implicated him in a false case. It is submitted that nothing has been recovered from the possession of the petitioner, rather the recovery of arms was planted by the police. Further, it is stated that from seizure list, no independent witness has signed on the seizure list rather the official witness made as a seizure list.

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

Considering the fact that the petitioner is in custody since 10.07.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two



sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Teghra P.S. Case No. 217 of 2021, subject to 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) One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

(3) 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.

(Khatim Reza, J)

Gaurav Kumar/-

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