

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7261 of 2022

Arising Out of PS. Case No.-213 Year-2021 Thana- KARAHGAR District- Rohtas

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BINOD SINGH @ BINOD CHAUDHARY @ BINOD SINGH
CHOUDHARY Son of Late Sudarshan Singh Resident of Village - Ubadhi,
Police Station - Karagahar (O.P. - Badahari), District - Rohtas (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Saroj Kumar

For the Opposite Party/s : Ms.Madhuri Lata

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 29-06-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the

offence punishable under sections 25(I-b)a and 26 of the Arms Act.

As per allegation from the possession of this petitioner

one loaded country made pistol was recovered.

The main submissions advanced by the learned counsel

for the petitioner are that investigation has been completed in respect

of the petitioner and there is one criminal case lodged under the

Indian Penal Code and not under the Arms Act in which he has been

granted bail. Further submission is that learned Sessions Judge,

Rohtas while rejecting petitioner's prayer for bail, directed trial court



to conclude the trial of the petitioner within six months but even then trial of the petitioner is at initial stage.

Learned APP opposes the prayer for bail.

In view of above submissions, considering petitioner's custody period and his case is initial stage of trial, in my view, a lenient approach may be taken in respect of the petitioner. Let the petitioner 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 the Judicial Magistrate, Sasaram, Rohtas in Karagahar (O.P) P.S Case No. 213 of 2021 on 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 below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his 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.

(3) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent other than of Karagahar (O.P. Badahari) P.S Case



No. 185 of 2021 of the petitioner is found then the court below shall
take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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