

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10266 of 2022**

Arising Out of PS. Case No.-542 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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Tarjan Kumar Son Of Gopi Das Resident Of Village- Bangali Colony, Gandak
No 1, Ward No 16, P.S- Bettiah Muffasil, Dist- West Champaran (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ram Adya Singh,Adv

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

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

2 15-06-2022 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 and 26 of Arms Act.

On search, one loaded country made pistol, one live

cartridge and a mobile of Vivo company were recovered from

possession of the petitioner.

Learned counsel appearing for the petitioner submits

that the petitioner has clean antecedent. He has falsely been

implicated in the present case only on the basis of suspicion. He



further submits that in fact nothing has been recovered from conscious possession of the petitioner rather the police has shown that the recovery has been made from possession of the petitioner and as per seizure list one loaded country made pistol and one live cartridge have been recovered from possession of the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 19.09.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

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 Bettiah Town P.S. Case No. 542 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)

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