

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7810 of 2022**

Arising Out of PS. Case No.-521 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ghuto Kumar Son of Vigan Mahto Resident of Village- Rachiyahi Dhobi
Tola, P.S.- Muffasil (Singhoul O.P.), District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Nand Kishore Prasad, Advocate

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 06-06-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

The petitioner seeks bail in connection with Muffasil
(Singhoul) P.S. Case No. 521 of 2021 registered for the offence
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused petitioner is named in the F.I.R. and is in
custody since 11.10.2021.

As per prosecution case, one country made pistol and
two cartridges is said to have been recovered in furtherance of
confessional statement of co-accused, which was hidden near
Seemar tree.

Learned counsel appearing on behalf of the petitioner



submitted that nothing has been recovered from the possession of the petitioner and he has been falsely implicated in this case. It is further submitted that chargesheet has been submitted as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State while opposing the prayer for bail fairly conceded that nothing has been recovered from the possession of the petitioner.

Considering the facts and submissions as made above and as arm in issue has not been recovered from the physical conscious possession of the petitioner coupled with the fact that chargesheet has been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Muffasil (Singhoul) P.S. Case No. 521 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to the following conditions:

“(i) That accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail



of the petitioner.

(ii) That one of the bailors shall be
the close relative of the accused/petitioner
like mother/father/sister/brother.”

(Chandra Shekhar Jha, J)

Ankit/-

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