

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8032 of 2022

Arising Out of PS. Case No.-22 Year-2021 Thana- ARIYARI District- Sheikhpura

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Rakesh Raushan Kumar @ Varun Kumar S/o Sidheshwar Yadav @
Singheshwar Yadav Resident of Village- Baruni, P.S.- Ariyari (Kesar),
District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 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

offences punishable under Sections 25(1-b)a/26 of the Arms

Act.

As per prosecution case, in short, is that on

23.03.2021 at about 6:30 A.M. the informant went to village

Varuni for investigation of Ariyari P.S. Case No. 21 of 2021

along with other police force. It is further alleged that the police

force reached at the house of the accused petitioner but the



accused petitioner was not found at his house and during search of his house one country made pistol (*Desi Katta*) was recovered.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. that one country made pistol has been recovered from the house of the petitioner and the petitioner was not arrested at the spot and no recovery has been from the conscious possession of the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 20.11.2021.

Learned APP 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/- (Rupees 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 Ariyari (Kasar) P.S. Case No. 22 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 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 witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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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