

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9585 of 2022

Arising Out of PS. Case No.-268 Year-2021 Thana- MURLIGANJ District- Madhepura

Paras Kumar Son of Abhay Yadav Resident of Village- Raghunathpur, Police
Station- Murliganj, District- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh

For the Opposite Party/s : Mr. Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-06-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within two weeks
of the complete start of the physical Court in normal course.

The petitioner seeks bail in connection with Murliganj
P.S. Case No. 268 of 2021 registered for the offence under
Sections 25(1-b)a and 26 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 28.07.2021.

The allegation against the accused/petitioner is to
have in possession of one country made pistol alongwith two
cartridges.

Learned counsel appearing on behalf of the petitioner
submitted that the recovery of alleged country made pistol and
two cartridges is not from the conscious possession of the



petitioner, as it is appearing from the seizure list itself. It has further been submitted that the house from where alleged recovery was made is also in occupancy of other family members. While arguing over the matter, it has further been submitted that chargesheet has already been submitted in this case, as such there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State fairly conceded that recovery has not been made from the conscious possession of the petitioner.

Considering the facts and circumstances as mentioned above, as recovery has not been made from the conscious possession of the petitioner coupled with the fact that chargesheet has already been submitted in this case, let the petitioner, above named, is directed to be released on bail in connection with Murliganj P.S. Case No. 268 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 Additional Chief Judicial Magistrate-II, Madhepura, subject to the following conditions:

“(i) That accused/petitioner shall
not involve in the similar nature of offence
till the conclusion of trial, failing the State



shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be properly represented on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground duly supported by the documents.

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

(Chandra Shekhar Jha, J)

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