

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13332 of 2022**

Arising Out of PS. Case No.-70 Year-2021 Thana- GWALPARA District- Madhepura

AMARDEEP KUMAR @ AMARDEEP MEHTA Son of Sashidhar Mehta @  
Shashidhar Mehta Resident of Village - Pirnagar, Ward No.07, P.S.-  
Gwalpara, Distt.- Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pawan Kumar, Advocate.

For the Opposite Party/s : Mrs. Asha Devi, APP.

**CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH**  
**ORAL ORDER**

2      14-06-2022                      Heard learned counsel appearing on behalf of the  
petitioner and learned A.P.P. for 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 regular bail in connection with  
Gwalpara P.S. Case No. 70 of 2021 for the offence punishable  
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

Allegation is of recovery of a country made pistol,  
two live cartridges and one mobile phone from the room of the  
petitioner.

Learned counsel appearing on behalf of the petitioner  
submits that the petitioner is innocent and he has falsely been



implicated in this case. He further submits that the alleged recovery has been shown with vexed interest at the behest of the enemy of the petitioner. Petitioner has made specific statement in Para-9 of the bail application that he resides along with other family members in a joint house from where alleged recovery of arms has been made. No recovery has been made from his physical or conscious possession. Petitioner is in custody since 07.05.2021.

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

Considering the nature of allegation made in the F.I.R. and the period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1<sup>st</sup> Class, Udakishunganj, Madhepura in connection with Gwalpara P.S. Case No. 70 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.



(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

**(Purnendu Singh, J)**

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