

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15662 of 2022

Arising Out of PS. Case No.-389 Year-2021 Thana- CHANPATIA District- West Champaran

Vivek Ro @ Ajara Janson @ Ajara Janson Ro Son of Raju Ro Resident of
Village - Chanpatiya shamri Tola, Ward no.1, P.s.- Chanpatiya, Distt.- West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-07-2022 Heard Mr. Amit Kumar Pandey, learned counsel for

the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

The petitioner is in custody in connection with
Chanpatiya P.S. Case No. 389 of 2021 under sections 25(1-b)a,
26 of the Arms Act.

Allegation in the FIR is that the police upon
information went to the place and found that accused persons
are sitting in the premises of a closed Sugar Mill. Upon search,
it is alleged that a country made pistol and live cartridge besides
a mobile was seized from the petitioner herein. He has failed to
show any document relating to the pistol and the live cartridge.
Seizure list was prepared and the petitioner was taken into



custody.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated by the police only on the basis of suspicion for which he has suffered by being in jail since 19.7.2021 as stated in para-10 of the bail application.

Taking into account the aforesaid fact, this Court is inclined to grant him the privilege of bail. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Chanpatiya P.S. Case No. 389 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;



(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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