

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26044 of 2021

Arising Out of PS. Case No.-142 Year-2019 Thana- CHANPATIA District- West Champaran

Tabrej Alam Son Of Murtuza Mian Resident Of Village- Barwa Chap, P.S.-
Chanpatia, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

3 11-01-2022 The applicant/accused in Crime No. 142 of 2019 registered with Chanpatia Police Station for the offences punishable under Sections 25(1-b)a/26 of the Arms Act, by this application is seeking his release on bail during pendency of the trial.

Heard the learned counsel appearing for the applicant/accused. He submits that the applicant is behind bar from 28.04.2019. Investigation of the crime in question is over. There is no apprehension that the applicant would not be available for trial.

The learned Additional Public Prosecutor opposed the application by contending that a pistol with two live cartridges were found in possession of the applicant.

I have considered the submissions so advanced and



also perused the materials placed before me.

The applicant was apprehended by police on 27.04.2019 and he was found in possession of a pistol with two live cartridges. The fire-arm and bullets were seized. The charge sheet has been filed. The applicant has undergone pre-trial detention from 28.04.2019. Hence, I see no reason to deny bail to him.

Considering the nature of the evidence against the applicant/accused, there is no other alternative but to release him on bail during pendency of the trial and hence, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 142 of 2019 registered with Chanpatia Police Station for the offences punishable under Sections 25(1-b)a/26 of the Arms Act be released on bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any threat, promise of inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the appellant/accused.

(A. M. Badar, J)

Mkr./-

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