

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16671 of 2022**

Arising Out of PS. Case No.-409 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Sonu Kumar Son Of Rajesh Kumar @ Rajesh Mahto Resident Of Vill-
Nagdah, P.S- Muffasil Begusarai, (SINGHAUL O.P.), Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nakul Kumar Jamuar
For the Opposite Party/s : Mr.Uday Chand Prasad

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 06-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 25(1-b)a, 26, 35 of the Arms
Act.

Recovery is of one loaded country made pistol and one
live cartridge from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.
as well as seizure list that one country made pistol and two live



cartridges have been recovered from the conscious possession of the petitioner apart from that one motorcycle also recovered from the possession of the petitioner. He further submits that the motorcycle belongs to the petitioner and for the same no F.I.R. has been instituted. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 11.08.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Begusarai Muffasil P.S. Case No. 409 of 2021, subject to 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 witnesses, 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 antecedent, 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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