

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16161 of 2022

Arising Out of PS. Case No.-351 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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CHUNNU ALAM @ CHUNNU MIYAN @ CHUNNA ALAM Son of
Hardish Miya @ Hadish Alam Resident of - Badka Tuniya, P.S. Manuapool,
District - West Champaran currently residing at- Bhola Tola, Ward No. 6, P.S.
Chanpatiya, District - West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Prakash, Advocate

For the Opposite Party/s : Mr. Md. Mushtaque Alam, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-07-2022 Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Bettiah Nagar P.S. Case No. 351 of 2021 for the offences
under Sections 399, 402, 413 and 414 of the Indian Penal Code
and Section 25(1-b)a, 26 and 35 of the Arms Act.

The allegation against the petitioner amongst other is
that the police party raided the place and apprehended some
accused persons. So far as this petitioner is concerned, one
loaded country made revolver and a motorcycle were recovered
from his possession. As he failed to submit any document relating



to the said possession of country made revolver, the same was seized and the petitioner was taken into custody.

Learned counsel for the petitioner submits that for the said alleged act he is in custody since 05.06.2021 (as stated in paragraph-17 of the bail application).

Taking into account the fact that charge sheet has been submitted and the petitioner is in custody since 05.06.2021, 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 Chief Judicial Magistrate, Bettiah in connection with Bettiah Town P.S. Case No. 351 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member 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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