

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16704 of 2022

Arising Out of PS. Case No.-386 Year-2021 Thana- PATLIPUTRA District- Patna

Hari Kumar @ Sanjit Kumar Mahto S/o Bindeshwar Mahto R/o Village- Sabalpur 28, Naya tola, P.S.- Sinpur, Dist- Saran (Chhapra) A/p Mohalla- Gosain Tola, near More Bandh Par and north of L.C.T. Ghat, Ganga Diara Jhoparpatti, P.S.- Pataliputra, Dist- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rewti Kant Raman, Advocate

For the Opposite Party/s : Mr. Pranav Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-07-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

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

As per allegation in the F.I.R. one country made pistol loaded with four live cartridges in magazine were recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case. He



further submits that it appears from the F.I.R. one country made pistol along with four live cartridges have been recovered and in fact nothing has been recovered from the possession of the petitioner and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 02.08.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Patliputra P.S. Case No. 386 of 2021, with 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



witness, 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 antecedents, 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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