

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17684 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- MANIYARI District- Muzaffarpur

Rohit Kumar Son of Rajesh Kumar Singh @ Rajesh Singh Resident of
Village - Bankat, P.S. - Baruraj, District - Muzaffarpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajiv Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-07-2022 Heard learned counsel for the petitioner and learned
counsel for the State in virtual court proceedings.

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 Maniyari P.S. Case No. 19 of 2022 for the offences under
Sections 413, 414/34 of the Indian Penal Code and Section
25(1-B)a, 26 and 35 of the Arms Act.

The allegation in the FIR is that the police in course
of patrolling duty intercepted three motorcycles borne persons
and caught them. They were searched and it is alleged that from
the possession of the petitioner herein, one country made pistol
with one live cartridge as well as a mobile were



recovered/seized. As he failed to provide documents relating to the said seizure, he was taken into custody.

Learned counsel for the petitioner submits that he being a pillion rider became an accused in the case and is in jail since 16.01.2022 (as stated in paragraph-7 of the bail application). He further submits that he has clean antecedent.

Taking into account that petitioner is in jail since 16.1.2022, charge sheet stands submitted and he has no criminal antecedent, this court is inclined to grant him the privilege of bail. However, if it is found that the petitioner has any criminal antecedent, this order shall be come infructuous and no bail shall be granted.

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 Judicial Magistrate, 1st Class, Muzaffarpur in connection with Maniyari P.S. Case No. 19/2022, 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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