

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21313 of 2022

Arising Out of PS. Case No.-312 Year-2021 Thana- BARAUNI District- Begusarai

Mukesh Kumar Son of Phulena Singh Resident of Village - Simariya, Police
Station - Barauni (Chakiya O.P.), District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 02-09-2022 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Barauni
P.S. Case No. 312 of 2021 registered for the offence under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 01.08.2021.

The allegation against the petitioner is to have in
possession of one countrymade pistol and seven live cartridges.

Learned counsel appearing on behalf of the petitioner
submitted that the seizure list is disputed for the reason that
same is supported by police personnel. It is submitted that



petitioner was involved in the present case, only on the basis of suspicion, as he found involved in four more criminal cases, where he is already acquitted in one case and on bail in two cases. While concluding the argument, it is submitted that investigation in this case is complete for which chargesheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that seizure list supported by police personnel.

In view of the above mentioned facts and circumstances, as seizure list appears to be doubtful as same is not supported by independent witnesses coupled with the fact that chargesheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barauni P.S. Case No. 312 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Begusarai/concerned Court, subject to the following conditions:

“(i) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the



Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner, duly supported by the documents.

(ii) That one of the bailors shall be Vikesh Kumar, who is the younger brother of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

Ankit/-
Archana/-

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