

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22056 of 2022

Arising Out of PS. Case No.-48 Year-2022 Thana- ARARIA District- Araria

AKBAR @ MD AKBAR S/o Md. Sadiruddin Resident of Village- Bochi,
Ward No.04, P.s.- Araria (Bairagachhi), District- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-08-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within one

month.

Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the
offence punishable under sections 25(I-b)a, 26 and 35 of the Arms
Act.

As per allegation, on seeing police party, four accused
persons riding on motorcycles made an attempt to flee away but on
chase three of them were apprehended along with two motorcycles.
Petitioner was also arrested at the spot and from his possession one
live cartridge and motorcycle were recovered.

The main submissions advanced by Sri Ajay Kumar Jha,
the learned counsel appearing for the petitioner are that the petitioner
is a farmer having clean antecedent and only one cartridge is alleged



to have been recovered from his possession and he has been languishing in jail since 17.1.2022.

Learned APP Sri Jitendra Kumar Singh has opposed the prayer for bail.

In view of above submissions and considering petitioner's clean antecedent as well as his custody period, let the petitioner 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 Chief Judicial Magistrate, Araria in Araria P.S Case No. 48 of 2022 on 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 below and shall remain physically present as directed by the Court below 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) One of the bailers shall be close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

The court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the court below



shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

s.hassan/-

U		T	
---	--	---	--

