

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22230 of 2022**

Arising Out of PS. Case No.-131 Year-2021 Thana- GORIAKOTHI District- Siwan

Shiv Shankar Ram S/O Aglu Ram Resident Of Village- Chacho Pali, P.S.-
G.B. Nagar (Tarwara), District- Siwan.

... .. Petitioner/S

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 20-07-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Gorea
Kothi P.S. Case No. 131 of 2021 registered for the offences
punishable under Sections 413, 414 of the Indian Penal Code
read with Sections 25(1-B)a, 26 and 35 of the Arms Act.

As per prosecution case, there is alleged recovery
of one country made pistol and two live cartridges besides one
Apache motorcycle in question from the possession of the
petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 02.08.2021 and bears no criminal



antecedent as mentioned in para 3 of the bail petition. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence and also taking into consideration the material available on record, 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 Additional Chief Judicial Magistrate-X, Siwan in connection with Gorea Kothi P.S. Case No. 131 of 2021, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for



cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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