

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23368 of 2022

Arising Out of PS. Case No.-156 Year-2021 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Sunil Sah, Son of Late Saudagar Sah, Resident of Village- Samsa, P.S-
Nawkothe, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prerna Anand, Advocate
For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 27-07-2022 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, within a
period of four weeks from today.

Heard Mr. Prema Anand, learned counsel for the
petitioner and learned APP for the State.

The petitioner seeks regular bail, who is in custody in
connection with Nawkothe P.S. Case No. 156 of 2021 registered
for the offences punishable under Sections 25(1-b)a/26 of the
Arms Act.

As per prosecution case, it is alleged that on a secret
information the police apprehended the petitioner and on search
being made one loaded country made pistol containing in
magazine one 8 mm cartridge was recovered.



It is submitted by the learned counsel appearing on behalf of the petitioner that in fact no recovery has been made from the possession of the petitioner, but only on account of altercation, which took place between the petitioner and the police, the recovery has been shown to be made from the possession of the petitioner. It is next submitted that there is infirmities in preparation of seizure list and moreover the petitioner is in custody since 11.11.2021 having fair antecedent.

On the other hand learned APP for the State vehemently opposes the bail application and submits that the loaded pistol has been recovered from the possession of the petitioner.

Having considered the submissions made on behalf of the parties and considering the period of custody and fair antecedent of the petitioner, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-I, Begusarai in connection with Nowkothi P.S. Case No. 156 of 2021, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of the



trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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