

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36358 of 2021

Arising Out of PS. Case No.-72 Year-2021 Thana- DAUDNAGAR District- Aurangabad

1. MUNNA SINGH @ MANISH KUMAR
2. Mulayam Singh @ Nitish Kumar
Both Sons of Shri Ramsunder Sing, Resident of village - Soni, Police Station
- Daudnagar, District - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md.Imteyaz Ahmad,Adv

For the Opposite Party/s : Mr.Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-02-2022 Heard learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners seek bail in connection with
Daudnagar P.S. Case No. 72 of 2021 registered for the offence
under Sections 25(1-b)a, 26 and 35 of the Arms Act.

According to the prosecution, upon the search
conducted by the police, one country made single rifle was
found concealed on the head side of the bed, on the said bed,
petitioners were asleep.

Learned counsel appearing for the petitioners submits
that the petitioners have clean antecedent. They have falsely
been implicated in the present case. He further submits that it



appears from the FIR that nothing has been recovered from the conscious possession of the petitioners rather the recovery has been made from the house of co-accused, namely, Kalyan Kumar @ Rajnish Kumar. He further submits that co-accused, namely, Kalyan Kumar @ Rajnish Kumar has been granted bail vide order dated 21.02.2022 in Cr. Misc. No.45036 of 2021 by this Court and the petitioners are in custody since 13.02.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Aurangabad in connection with Daudnagar P.S. Case No. 72 of 2021 with the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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