

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27206 of 2022

Arising Out of PS. Case No.-121 Year-2022 Thana- MOTIHARI MUFASIL District- East
Champaran

=====

AMIT SRIVASTAVA @ AMIT KUMAR Son of Ramashankar Prasad
Resident of Village - Chilwaniya, P.s.- Banjariya, Distt.- East Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

=====

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate
For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-08-2022 Heard Mr. Umesh Chandra Verma, learned counsel

for the petitioner and Mr. Jitendra Kumar Singh, learned APP

for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 399, 402, 414,
120B of the Indian Penal Code and section 25(1-b), 1, 26, 35 of
the Arms Act in connection with Muffasil P.S. Case No. 121 of
2022.

The allegation in the FIR is that the police
intercepted a car in the night and arrested three persons.
However, two of them managed to escape. On search, a country
made pistol loaded with live cartridge was recovered from one



Abhishek Kumar Ojha.

So far as this petitioner is concerned, it is alleged that a loaded country made revolver and live cartridges were recovered/seized from his possession.

Learned counsel for the petitioner submits that for the said alleged act, he has already suffered by being in jail since 19.2.2022 (as stated in para-11 of the bail application).

Considering the aforesaid statement as also the fact that he is in custody since 19.2.2022 and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, East Champaran, in connection with Muffasil P.S. Case No. 121 of 2022 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next one year to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

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

