

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28777 of 2022**

Arising Out of PS. Case No.-172 Year-2021 Thana- RIGA District- Sitamarhi

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Arun Bhumi @ Arun Kumar Son Of Binod Mahto R/O- Vill- Kushmari, P.S.-  
Riga, Dist.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate.

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP.

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**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      06-09-2022                      Learned counsel for the petitioner is permitted to remove defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard Mr. Ashok Kumar Jha, learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

The application for grant of bail to the petitioner, above named, who has been made accused and put behind the bar in connection with Riga P. S. Case No. 172 of 2021 registered for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution case, it is alleged that while the police party was on patrolling duty, they apprehended two persons and on search, one loaded country-made pistol along with some other materials have recovered from the possession of the petitioner.

Learned counsel appearing on behalf of the petitioner



submitted that nothing has been recovered from the person or possession of the petitioner rather the recovery has been made from the different place but only because of the past criminal antecedent, his name has been implicated in this case. It is next submitted that so far the other two criminal cases are concerned, the petitioner is on bail in both the cases. It is further submitted that the petitioner is in custody since 07.01.2022 and moreover, after completion of the investigation, charge sheet has been submitted.

On the other hand, learned APP for the State opposes the bail application and submits that the petitioner is named in two other criminal cases.

Regard being had to the fact that the petitioner is in custody since 07.01.2022 and moreover, the investigation of the crime is already completed and the charge sheet has been submitted, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-VI, Sitamarhi in connection with Riga P. S. Case No. 172 of 2021, subject to the condition that one of the bailors will be the close relative 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.
- (v) The Court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancelling of bail bond of the petitioner. 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.

**(Harish Kumar, J)**

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