

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30707 of 2022

Arising Out of PS. Case No.-119 Year-2022 Thana- DUMRAO District- Buxar

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Anil Kumar Chaudhary @ Jogari Chaudhary Son of Ravindra Chaudhari @
Jugari Resident of Village - and P.O.- Barka Diya, P.S.- Krishnabrahm, Distt.-
Buxar, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-09-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 420, 467, 468, 471, 414, 34,

120(B) of the Indian Penal Code and Sections 25(1-b)a/26/35 of

the Arms Act.

As per F.I.R., the police intercepted a motorcycle and

upon search, country made revolvers and magazines were

recovered from the two accused persons who were riding the



said motorcycle. It also had a licence for the said arms issued by the District Magistrate, Kishtwaqr, Jammu & Kashmir. Upon interrogation, the accused informed that these are fake licenses which was to be delivered to co-accused Mantan at Patna and he further informed that the licenses are being prepared by this petitioner. Subsequently, the house of the petitioner herein was raised and it is alleged that one more fake license issued from the office of District Magistrate, Udhampur, Jammu & Kashmir was recovered.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that nothing incriminating article has been recovered from the possession of the petitioner rather recovery has been made from co-accused person namely Ritesh Kumar. He further submits that as per F.I.R. as well as seizure list only one mobile phone has been recovered from the possession of the petitioner. He further submits that co-accused Rishikesh Yadav has been granted bail by a Coordinate Bench of this Court vide order dated 05.08.2022 in Cr. Misc. No. 25189 of 2022 and the police after investigation submitted chargesheet against the petitioner and



the petitioner is in custody since 12.03.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, 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 Court below where the case is pending in connection with Dumraon Naya Bhojpur O.P. P.S. Case No. 119 of 2022, with the following conditions :-

(1) Petitioner 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that 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 antecedents, the court below shall take step for



cancellation 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.

(Rajesh Kumar Verma, J)

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