

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33045 of 2022**

Arising Out of PS. Case No.-78 Year-2022 Thana- BANMANKHI District- Purnia

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SUBODH KUMAR SAH @ SUBODH SAH S/o Achhelal Sah R/o village-
Puravi Tola Mohania, P.S.- Banmankhi, District- Purnia

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Dr. Bidhu Ranjan, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 08-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

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

The case is registered under Sections 25(1-b) a 26/35
of the Arms Act, in connection with Banmankhi P.S. Case
No.78 of 2022.

As per the prosecution story, the police has received
information that illicit wine has been kept in the house of the
petitioner herein, visited the place and search was made
whereafter a country made pistol with cartridge was recovered.
As the petitioner failed to show documents, the same was seized
and he was arrested.



Learned counsel for the petitioner submits that for the said occurrence he has suffered a lot by being in custody since 1.3.2022.

Considering the fact that the petitioner has no criminal antecedent, is in custody since 1.3.2022 and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail. However, if it is found that he do have criminal antecedent, this order shall become infructuous.

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, Purnia, in connection with Banmankhi P.S. Case No.78 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 six months 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/Ajay Singh

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