

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32676 of 2022

Arising Out of PS. Case No.-535 Year-2021 Thana- BARH District- Patna

Gulshan Kumar, Son of Lae Dilip Singh Resident of Village - Berha Rampur,
Ward No.04, P.S.- Birhana, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2022 Heard Mr. Gajendra Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Uday Pratap
Singh, learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

The petitioner seeks regular bail in connection with
Barh P.S. Case No. 535 of 2021, for the offence punishable
under Section 25(1-b) A/26 of the Arms Act.

The allegation is of recovery of one country made
pistol from the waist of the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the raid at the mid night itself is illegal. In fact,
nothing was recovered from the possession of the petitioner. It is
further submitted that due to dirty village politics, the Mukhiya
of the village hatched the conspiracy and implicated the
petitioner in the false case.



Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

Considering the nature of allegation made in the F.I.R. period of custody undergone by the petitioner, Chargesheet has already been submitted, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.1st, Barh in connection with Barh P.S. Case No. 535 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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