

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40339 of 2021**

Arising Out of PS. Case No.-6 Year-2019 Thana- MEHUSH District- Sheikhpura

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ALOK KUMAR, Son of Nagendar Singh, Resident of Village - Indupur, P.S.-
Barahya, District - Lakhisarai, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ankit Kumar

For the Opposite Party/s : Mr.Md. Fahimuddin

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

5 02-03-2022 Heard learned counsel appearing on behalf of the
petitioner and 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
Mehus P.S. Case No. 06 of 2019, for the offence punishable
under Section 25(1-b)a, 26 and 35 of the Arms Act.

The prosecution case, in brief, is that in course of
search, one country made katta, one live cartridge and other
articles have been recovered from the possession of the
petitioner.

Learned counsel appearing on behalf of the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that petitioner is in
custody since 12.05.2019 and other similarly situated co-



accused Atul Kumar has already been enlarged on bail vide order dated 24.10.2019 passed in Criminal Miscellaneous No. 65024 of 2019, taking into consideration the period of custody, he may be released on bail.

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

Considering the aforementioned facts and circumstances of the case and the specific submission of the petitioner that petitioner is in custody since 12.05.2019, 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 Addl. Chief Judicial Magistrate-1st Class, Sheikhpura in connection with Mehus P.S. Case No. 06 of 2019, 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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