

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29730 of 2022

Arising Out of PS. Case No.-143 Year-2022 Thana- MADHEPURA District- Madhepura

Rupesh Kumar @ Amrit Kumar, S/o Sikandra Prasad Yadav, R/o village-
Chiknotwa Ward No. 08, P.S.- Madhepura, District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Patla Kumari, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Madhepura P.S. Case No. 143 of 2022
registered for the alleged offences under Sections 25 (1-B) a, 26
and 35 of the Arms Act.

As per prosecution case, recovery of a loaded pistol
along with magazine containing three bullets was made from the
petitioner during search of a playground.

Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this



case. The seizure list shows it was not prepared at the spot as at the top it contains the FIR number of the case. Charge sheet has been submitted in this case and the petitioner is in custody since 17.02.2022.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is having criminal antecedent and is accused in one more case.

Having regard to the submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Madhepura, in connection with Madhepura P.S. Case No. 143 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.
- (ii) One of the bailors will be a close relative of the petitioner.
- (iii) The petitioner will remain present on



each and every date fixed by the court
below.

(iv) In case of absence on three consecutive
dates or in violation of the terms of the bail,
the bail bond of the petitioner will be liable
to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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