

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31994 of 2022

Arising Out of PS. Case No.-538 Year-2021 Thana- DUMRAO District- Buxar

Pawan Singh, Son of Daroga Singh, Resident of Village - Ekauni, Police
Station- Dumrao, District - Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parijat Saurav, Advocate

For the Opposite Party/s : Mr.Brajendra Nath Pandey, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-08-2022 Heard Mr. Parijat Saurav, learned counsel appearing
on behalf of the petitioner and Mr. Brajendra Nath Pandey,
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
Dumrao P.S. Case No. 538 of 2021, for the offence punishable
under Sections 25(1-b) and 26 of the Arms Act.

The prosecution case, in brief, is that a single barrel
gun was recovered from the house of the petitioner, while the
Police searched the house of the petitioner in connection with
Dumrao P.S. Case No. 539 of 2021, dated 27.12.2021.

Learned counsel appearing on behalf of the petitioner
submits that the from perusal of the F.I.R. it transpires that
seizure list does not bear the signature of the petitioner nor it



was handed over to the petitioner. The petitioner was apprehended while the search was made in connection with Dumrao P.S. Case No. 538 of 2021 and only to implicate the petitioner in another case, false case has been registered showing the recovery of arms from the house of the petitioner. The petitioner is in custody since 19.01.2022.

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, nature of allegation made against the petitioner and period of custody undergone by the petitioner, 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 Judicial Magistrate, First Class, Buxar in connection with Dumrao P.S. Case No. 538 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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