

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41779 of 2021

Arising Out of PS. Case No.-169 Year-2020 Thana- BEERPUR District- Begusarai

OM PRAKASH Son of Madan Sah R/o Biscoman Colony, P.S.- Alamganj,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 02-03-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Birpur
P.S. Case No. 169/ 2020 registered for the offences punishable
under Sections 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, four country made pistols
and four live cartridges have been recovered from Goat Farm
of co accused Anil Mahto.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that according to
the prosecution, a raid was conducted at the Goat Farm of
co-accused Anil Mahto from where four country made
pistols and four live cartridges have been recovered and the



petitioner and other accused have been apprehended at the spot. He further submits that nothing has been recovered from conscious possession of the petitioner. He further submits that entire allegation levelled against the petitioner is false and baseless and he has been falsely implicated in the present case. Moreover, the co-accused, Karan Kumar, Khusbhoo @ Anuraga Mahtaon @ Anurag Aanan @ Anurag Anand @ Anurag Mahto, and Anil Kumar Mahton @ Anil Mahton having granted bail by this Court vide order dated 07.02.2022 passed in Cr. Misc. No. 53247 of 2021, Cr. Misc. No. 51170 of 2021 and Cr. Misc. No. 49666 of 2021 and the case of this petitioner stands on similar footing. The petitioner is in custody since 12.12.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Begusarai in connection with Birpur P.S. Case No. 169/ 2020 with the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

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

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh/-

U		T	
---	--	---	--

