

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33525 of 2022

Arising Out of PS. Case No.-30 Year-2022 Thana- KARAHGAR District- Rohtas

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Ashok Kumar aged about 22 years (Male), Son Of Chandrika Paswan,
Resident Of Village- Sirisiya, Police Station- Karghar, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Shyam Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 05-09-2022 Heard Mr. Sanjay Kumar Tiwary, learned counsel

appearing on behalf of the petitioner and Mr. Shyam Kumar

Singh, learned A.P.P. for the State.

Petitioner, who is in custody since 29.01.2022, seeks

regular bail in connection with Karghar P.S. Case No. 30 of

2022 registered for offences punishable under Sections 25 (1-

b)a 26 of the Arms Act.

As per the allegation made in the F.I.R., one country

made pistol (*Katta*) and three misfired cartridges were recovered

from below the bed of the petitioner.

Learned counsel appearing on behalf of the petitioner

submitted that the house of the petitioner was raided in

connection with Karghar P.S. Case No. 28 of 2022. Merely on



suspicion, the petitioner was apprehended and the alleged recovery of arms has been shown from below the bed of the petitioner. Petitioner is junior most member of the family and no arms have been recovered from the conscious possession of the petitioner. Petitioner has remained in custody since 29.01.2022.

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

Considering the aforementioned facts and circumstances of the case, nature of allegation made in the F.I.R., nothing has been recovered from the conscious possession of the petitioner and the trial is not likely to be concluded in near future, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas at Sasaram in connection with Karghar P.S. Case No. 30 of 2022 subject to the following conditions:

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

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



(iii) 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.

(iv) 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 bond.

(Purnendu Singh, J)

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