

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35345 of 2022

Arising Out of PS. Case No.-700 Year-2021 Thana- BETTIAH CITY District- West
Champaran

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ASHOK TIWARI SON OF LATE VISHWANATH TIWARI RESIDENT OF
VILLAGE- PUJAHAN PATJIRWA, P.S.- SRINAGAR (PUJAHAN),
DISTRICT- WEST CHAMPARAN.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under Sections 25 (1-B)(a), 26,
35 of the Arms Act, 1959 in connection with Bettiah Town
(Kalibag) P.S. Case No. 700 of 2021.

As per the prosecution story, the police upon
confidential information searched the shop of Vijay Kumar
where two persons tried to escape but were apprehended and the
further allegation is that from one Ashok Tiwari, the petitioner
herein, a country made loaded pistol was recovered.
Accordingly, the FIR instituted, seizure list prepared and the



petitioner was taken into custody.

Learned counsel for the petitioner submits that only because he has criminal antecedent, he has been implicated in this case and is in jail since 15.12.2021.

Taking into account the aforesaid facts that he is in custody since 15.12.2021, charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, West Champaran at Bettiah, in connection with Bettiah Town (Kalibag) P.S. Case No. 700 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his



presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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