

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45148 of 2021

Arising Out of PS. Case No.-34 Year-2021 Thana- BHAPTIAHI District- Supaul

Vijay Kumar S/O Dhanik Lal Mehta Resident Of Simari, P.S. and District-Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE A. M. BADAR

ORAL ORDER

2 02-02-2022 The applicant/accused in Crime No. 34 of 2021 registered with Bhaptiyahi Police Station for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act, by this application is seeking his release on bail during pendency of the trial.

The learned Additional Public Prosecutor has conceded for out of turn hearing of the application on the ground of illness of the mother of the applicant.

Heard the learned counsel appearing for the applicant/accused and learned Additional Public Prosecutor for the State.

It is argued by the learned counsel for the applicant that applicant is behind bar from 13.03.2021 and he has no criminal antecedent. He is stated to have been found with a



fire-arm in the marriage ceremony.

Learned Additional Public Prosecutor reiterated the
FIR.

I have considered the submissions so advanced and
also perused the materials placed on record.

It is seen that in the marriage ceremony the
applicant was caught red handed by the police with an illegal
fire-arm. Investigation of the subject crime is over. The charge
sheet has already been filed. It is reported that the applicant is
not having any criminal antecedent. Therefore, I see no reason
to refuse bail to the applicant and, therefore, the order :-

i. The application is allowed.

ii. The applicant/accused in Crime No. 34 of
2021 registered with Bhaptiyahi Police Station be released on
bail on executing P.R. bond of Rs.15,000/- (Rupees Fifteen
Thousand) on furnishing surety of the like amount to the
satisfaction of the trial court with the following conditions: -

(I) The applicant/accused should not extend any
threat, promise of inducement to the persons acquainted with the
facts of the accusation against him so as to dissuade him from
disclosing such facts to the Court or to any police officer.

(II) The applicant/accused should cooperate the



trial court in expeditious disposal of the trial against him.

(III) The applicant/accused should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV) The applicant should not repeat commission of similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

Mkr./-

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