

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34209 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- KADAMKUAN District- Patna

Rohit Kumar @ Bittu, Son of Late Mohan Lal, Resident of Village-
Jakkanpur Janta Road, P.S.- Gardanibag, Distt.- Patna (Bihar).

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through video conferencing.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks from the date of resumption of
physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in
connection with Kadamkuan P.S. Case No. 54 of 2022
registered for the alleged offences under Sections 25 (1-B) a and
26 of the Arms Act.

As per prosecution case, during regular patrolling, the
petitioner came on a motorcycle and tried to flee away on seeing
the police party, but he was apprehended. From the possession
of this petitioner, a loaded country made pistol with one live
cartridge was recovered apart from a mobile phone.



Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from conscious possession of the petitioner. The alleged recovery is plantation by the police. Charge sheet has been submitted in this case and the petitioner is in custody since 29.01.2022.

Learned A.P.P. opposes the prayer for bail submitting that the petitioner is a habitual offender and is having five criminal cases pending against him.

Having regard to the facts and circumstances and submissions made hereinabove and considering the submission of charge sheet and the period of custody of the petitioner, he is directed to be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-X, Patna, in connection with Kadamkuan P.S. Case No. 54 of 2022, subject to the conditions mentioned in Section 437 (3) of the Code of Criminal Procedure and also the following conditions :

- (i) The bail bond of the petitioner will be accepted only after framing of charge, if not already framed.



(ii) One of the bailors will be a close relative of the petitioner.

(iii) The petitioner will remain present on each and every date fixed by the court below.

(iv) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

V.K.Pandey/-

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