

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37057 of 2022

Arising Out of PS. Case No.-480 Year-2021 Thana- SAHEBGANJ District- Muzaffarpur

RAHUL KUMAR SON OF SATENDRA RAI @ SHAILENDRA RAY
RESIDENT OF VILLAGE- RAMPUR ASLI, P.S.- SAHEBGANJ,
DISTRICT- MUZZAFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Raj Ballabh Singh,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2022 Heard learned counsel for the petitioner and learned
APP for the State through video conferencing in view of the
COVID 19.

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

The petitioner is an accused in connection with
Muzzafarpur in B.P. No. 349 of 2022 arising out of Sahebganj
P.S. Case No. 480 of 2021 under Sections 25(1-b)a and 26 of the
Arms Act.

As per the prosecution story, the informant, police
officer in course of patrolling intercepted a motorcycle and upon
search, it is alleged that one loaded country made pistol and
mobile phones were recovered and motorcycle too was having



no number. As he failed to provide any document, FIR lodged, seizure list prepared, he was arrested.

Learned counsel for the petitioner submits that he has been falsely implicated in this case and has already suffered by being in custody since 01.11.2021.

Considering the fact that he is in custody since 01.11.2021, charge sheet stands submitted and ultimately he has to face the trial, this court is inclined to grant him 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 A.C.J.M. 1st (West) Muzaffarpur in connection with Sahebganj P.S. Case No. 480 of 2021, subject to the following conditions:-

(i) one of the bailor should be the family member 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 reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner 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)

Jagdish/Neha/-

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