

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37176 of 2022

Arising Out of PS. Case No.-166 Year-2022 Thana- KUDHNI District- Muzaffarpur

=====

ARJUN KUMAR SON OF LATE LAKHINDAR SAHNI Resident of Balaur,
Police Station- Kudhani, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Murli Dhar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2022 Heard Mr. Alok Kumar Alok, 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

Kudhani P.S. Case No. 166 of 2022 under Sections 25(1-b)a,

26/35 of the Arms Act and section 8(c), 20(b), (12) (B) of the

NDPS Act.

As per the prosecution story, the police upon tiff of

apprehended the petitioner and upon search, a loaded country-

made pistol, live cartridge and 500 grams ‘ganja’ beside

mobiles were recovered/seized. Accordingly, he was taken into

judicial custody and is in jail since 03.04.2022, as stated in



paragraph-10 of the bail application).

Learned counsel for the petitioner submits that he has clean antecedent and on false implication, he has been picked up. He is a daily wage earner and his long incarceration has led to family being on the verge of starvation.

Taking into account the fact that he is in custody since 03.04.2022 (and not 08.06.2022 as has been incorporated in the paragraph-13 of the bail application), charge sheet stands submitted and he has no criminal antecedent, this Court is inclined to grant him privilege of bail.

If however it is found that he do have criminal antecedent, the bail order shall become infructuous.

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 Special Judge, Muzuffarpur in connection with Kudhani P.S. Case No. 166 of 2022, 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-

U		T	
---	--	---	--

