

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36556 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- SOHSARAI District- Nalanda

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Amit Kumar, Son of Suresh Kumar Singh, Resident of Dawarika Complex
Bocha Chak Khaugaul Road, Fulwarisharif P.S.- Fulwarisharif, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s : Mr. Md. Shakir Ahmad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-09-2022 Heard Mr. Krishna Prasad Singh, learned Senior

Counsel for the petitioner and the learned APP for the State.

Let the defect(s) be removed within four weeks of
the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Sohsarai P.S. Case No.28 of 2022 instituted under
Section 25(1-b)a/26 of the Arms Act.

As per the prosecution story, the petitioner who
was arrested in connection with Sohsarai P.S. Case
No.18/2022 under Section 302/394 and 27 Arms Act, on his
confessional statement, the police took him to the 'Mamu-
Bhagina More' where it is alleged that on the information of
the present petitioner, a countrymade revolver that was used
in that case has been recovered. Accordingly, the present



case came to be instituted.

Learned Senior Counsel for the petitioner submits that so far as the present case is concerned, the same is restricted to the recovery of the arms for which he has already suffered by being in custody since 21.01.2022.

Taking into account the aforesaid recovery, his custody period of 21.01.2022 as also the fact that the charge-sheet stands submitted, 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/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Sohsarai P.S. Case No.28 of 2022 to the satisfaction of learned A.C.J.M., IV, Biharsharif, Nalanda, subject to 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)

Prakash Narayan /-

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