

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36773 of 2022

Arising Out of PS. Case No.-97 Year-2022 Thana- NAWANAGAR District- Buxar

Mukesh Kumar Son Of Baban Singh R/O Village- Kosanda, P.S.- Surjapura,
Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2022 Heard learned counsel for the parties.

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

The petitioner is in judicial custody in connection
with Nawanagar P.S. Case No. 97 of 2022/G.R. No. 777 of 2022
for the offences under Section 412 of the Indian Penal Code and
25 (1-b)a, 26, 35 Arms Act.

As per the FIR, the informant along with police while
doing vehicle search, intercepted a motorcycle who tried to
escape but was apprehended and it is alleged that from this
petitioner, a loaded pistol and live cartridge was recovered. In
view of the fact that they failed to provide any document, the
same were seized, FIR lodged and they were arrested.

Learned counsel for the petitioner submits that he is in



custody since 25.3.2022, is a young boy studying in intermediate and only 20 years of age and as such he needs a chance to reform himself.

Considering the aforesaid fact that he is in custody since 25.3.2022, charge-sheet stands submitted, is a young boy of 20 years, this Court is inclined to grant him the privilege of bail with conditions despite being of young age.

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 Chief Judicial Magistrate, Buxar, in connection with Nawanagar P.S. Case No. 97 of 2022/G.R. No. 777 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)

Ravi/Ajay Singh

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