

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37653 of 2022

Arising Out of PS. Case No.-03 Year-2022 Thana- BEN P.S. District- Nalanda

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Kishore Manjhi Son Of Karu Manjhi @ Kara Manjhi R/O Village-
Makhdumpur, P.S.- Ben, Distt.- Nalanda

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 23-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Ben P.S. Case No. 3 of 2022 lodged under Sections 25(1-b)a, 26
of the Arms Act.

As per the prosecution case, recovery of one *desi* rifle
has been made from the house of the petitioner in a bag.

Learned counsel for the petitioner submits that the
said search was made in his absence. He was not at his house. He
further submits that petitioner is innocent and has committed no
offence. Learned counsel further submits that petitioner is in
custody since 23.02.2022, charge sheet has already been filed in

this case having one criminal antecedent that is case of Excise Act in which he is on bail.

Learned counsel for the State opposes the prayer for bail but admits that no live cartridge was recovered from the possession of the petitioner rather only arms has been recovered.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Nalanda at Bihar Sharif in connection with Ben P.S. Case No. 3 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of

furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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