

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50830 of 2021

Arising Out of PS. Case No.-129 Year-2021 Thana- MOUZAHDIPUR District- Bhagalpur

MD IMRAN @ KALLU Son of Late Md. Iqbal Resident of Village -
Maulanachak, Ashrfi Ali Lane, P.S.- Mojahidpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Mojahidpur P.S. Case No. 129 of 2021 registered for the offence punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per prosecution case, one country made pistol and two live cartridges were recovered from possession of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that it appears



from the F.I.R. itself that one country made pistol and four live cartridges have been recovered from possession of the petitioner and for that the petitioner is in custody since 23.05.2021.

The learned Additional Public Prosecutor for the State opposed the prayer for bail submitting that the petitioner carries one criminal antecedent.

Considering the facts and circumstances of the case and period of custody already undergone by the petitioner, let the, above named, petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhagalpur in connection with Mojahidpur P.S. Case No. 129 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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