

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40237 of 2022

Arising Out of PS. Case No.-264 Year-2022 Thana- KHAGARIA District- Khagaria

SATISH VARMA Sonof Jagrup Verma Resident of Village - Hardaschak, P.s.-
Muffasil, Dist.- Khagaria.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-10-2022 Heard learned 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 judicial custody in connection with
Muffasil P.S. Case No.264 of 2022 instituted under Section
25(1-b)a,26 Arms Act.

As per the prosecution story, upon information that
the petitioner is engaged in selling illegal weapons raided his
house and upon search it is alleged that four countrymade
pistols wrapped in a plastic bag was recovered. Accordingly,
seizure list prepared and he was taken into custody.

Learned counsel for the petitioner submits that it is a
joint house and a plastic bag was recovered from an open place
and as such the same cannot be attributed to him. It is further



submission that the confession before the police has no evidentiary value. It is his last submission that he is in custody since 30.03.2022 (as stated in para-13 of the bail application).

Learned APP on the other hand opposes the prayer for bail.

Be that as it may, the alleged seizure is said to be from a house, he is in custody since 30.03.2022, charge-sheet stands submitted, he do no have criminal antecedent, this Court is inclined to grant him privilege of bail. If however found that he do have criminal antecedent the bail application shall stands rejected.

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 Muffasil P.S. Case No.264 of 2022 to the satisfaction of learned CJM, Khagaria, 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



bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) 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 /-

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

