

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41221 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- CHUTIA SAHAYAK District- Rohtas

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RAMJI SINGH KHARBAR Son of Badri Singh Kharbar Resident of village-
Harsdih PS- Nauhatta, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Narayan Singh.1

For the Opposite Party/s : Mr.Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 16-11-2022 Let the defect(s), as pointed out by the office, be

removed within a period of four weeks from today.

Heard learned counsel for the petitioner and

learned A.P.P. for the State.

The petitioner seeks bail in connection with

Chutiya P.S. Case No. 11 of 2022 registered for the offences

punishable under Sections 25(1-b)A, 26 of the Arms Act.

As per prosecution case, one country made pistol

and two live cartridges have been recovered from the waist of

the petitioner.

Learned counsel for the petitioner submits that

petitioner is in custody since 14.02.2022 and bears criminal

antecedent of three cases. He further submits that alleged



recovery was made from the house of father-in-law of the petitioner. There is no independent witness of the seizure list. There is no compliance of Section 100 of the Cr.P.C.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Rohtas, Sasaram in connection with Chutiya P.S. Case No. 11 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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