

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.53247 of 2021**

Arising Out of PS. Case No.-169 Year-2020 Thana- BEERPUR District- Begusarai

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KHUSHBOO @ ANURAG MAHTON @ ANURAG AANAN @ ANURAG  
ANAND @ ANURAG MAHTO SON OF ANIL KUMAR MAHTON R/O  
VILLAGE- PARBANDA, P.S.- BIRPUR, DISTRICT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-02-2022                      Heard learned counsel for the petitioner and learned  
  
Additional Public Prosecutor for the State in virtual court  
  
proceeding.

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 Birpur P.S.  
  
Case No. 169/ 2020 registered for the offences punishable  
  
under Sections 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, four country made pistols and  
  
four live cartridges have been recovered from Goat Farm of co-  
  
accused Anil Mahto.

Learned counsel for the petitioner submits that the



present FIR has been instituted on the basis of disclosure made by the accused persons of Barauni (Garhara O.P.) P.S. Case No. 468/ 2020 and on that basis police apprehended the petitioner. He further submits that as per seizure list, four country made pistols and four live cartridges have been recovered from the Goat Farm of co-accused Anil Mahto, who is father of the petitioner. He further submits that nothing has been recovered from conscious possession of the petitioner. Learned counsel further submits that petitioner is innocent and has committed no offence and he has falsely been implicated in the present case merely on suspicion. Petitioner is in custody since 16.03.2021.

The learned Additional Public Prosecutor vehemently opposed the prayer of bail submitting that petitioner carries two criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Begusarai in connection with Birpur P.S. Case No. 169/ 2020, subject to 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled 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)**

shahzad/-

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