

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44497 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- ITARHI District- Buxar

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Dadan Singh S/o Bateshwar Singh R/o Village- Gopinathpur, P.S.- Itarhi,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Advocate

For the Opposite Party/s : Mr. A.G.

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 08-12-2022 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Itarhi P.S.
Case No. 124 of 2022 registered for the offence under Sections
25(1-b)a and 26 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 26.04.2022.

The allegation against the petitioner is to have in
possession of loaded country made pistol.

Learned counsel appearing on behalf of the petitioner
submitted that the alleged recovery of fire arm was not made
from the conscious physical possession of this petitioner. It is



submitted that petitioner involved in one more case also, where he is on bail. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as petitioner is in custody since 26.04.2022 coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Itarhi P.S. Case No. 124 of 2022 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, Buxar/concerned court, subject to the following conditions:

“(i) That the accused/petitioner shall not involve in the similar nature of offence till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) Accused/Petitioner shall cooperate in the trial and shall be physically



present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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