

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45079 of 2022

Arising Out of PS. Case No.-19 Year-2022 Thana- MATIHANI District- Begusarai

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RAUNAK KUMAR @ CHHOTU Son of Late Vijay Singh Resident of
village - Ramdiri, Tola - Ramnagar, P.S.- Matihani, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Pranav Kumar

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-12-2022 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
Matihani P.S. Case No. 19 of 2022 registered for the offences
punishable under Section 25(1-B) a, 26, 35 of the Arms Act.

As per prosecution case, petitioner alongwith other
co-accused in furtherance of their common intention have
collected the huge quantity of fire-arms and ammunitions and
they had supplied and sold by them to other miscreants. It is
alleged that petitioner was apprehended with illegal
countrymade pistol, two live cartridges alongwith mobile in
question.



Learned counsel for the petitioner submits that petitioner is in custody since 18.02.2022 and bears no criminal antecedent. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that seizure list has not been made as per law. There is no compliance of Section 100 of Cr.P.C. He further submits that petitioner is quite innocent and falsely implicated in the case.

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

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, 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 Judicial Magistrate 1st Class, Begusarai in connection with Matihani P.S. Case No. 19 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)

vashudha/-

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