

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44933 of 2022

Arising Out of PS. Case No.-69 Year-2022 Thana- KARAKAT District- Rohtas

JAINATH RAM SON OF SHYAM BIHARI RAM R/O VILLAGE-
RAGHUNATH PUR, P.S.- KARAKAT, DISTT.- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunal Tiwary

For the Opposite Party/s : Mr.Syed Mojibur Rahman

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 24-11-2022 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 Karakat P.S. Case No. 69 of 2022 registered for the offences punishable under Sections 25(1-b)a/26/27 of the Arms Act.

As per prosecution case, there is alleged recovery of one country made pistol, two live cartridges and two empty cartridges from the roof of petitioner's house.

Learned counsel for the petitioner submits that petitioner is in custody since 28.04.2022. Petitioner bears no criminal antecedent. Charge sheet has already been submitted in the case and there is no likelihood of tampering with the



prosecution evidence. Learned counsel further submits that the nothing has been recovered from the conscious physical possession of the petitioner. Seizure list has not been made as per law. The petitioner is innocent and has falsely been implicated in the present 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 as well as period of custody, charge-sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence, keeping in view clean antecedent of the petitioner, argument advanced on behalf of the parties 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 Additional Chief Judicial Magistrate-II-cum-Sub Judge-II, Bikramganj (Rohtas) in connection with Karakat P.S. Case No. 69 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)

amitkr/-

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

