

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55635 of 2021

Arising Out of PS. Case No.-227 Year-2021 Thana- PIRBAHOR District- Patna

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Vishal Kumar Son of Shahjanand Singh @ Sahjanand Resident of Village-
Lavharchak Tola, P.S.- Matihani, District- Begusarai, at Present residing at
Rajendra Surgical Block- C, Quarter No. 3, P. S.- Pirbahore, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Anand, Advocate.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-04-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State through video

conferencing.

The present application has been filed on behalf of the

petitioner, above named, for grant of regular bail to the

petitioner who has been made accused and put behind the bars

in connection with Pirbahore P. S. Case No. 227 of 2021

registered for the offences punishable under Sections 25 (1-b)

a/26 of the Arms Act.

The prosecution case is that on 13.06.2021, while the

Police party was on patrolling duty they came to know that

inside the P.M.C.H. some miscreants were doing *hungama* and

on the basis of the said information the Police arrested the



accused persons including this petitioner. It is also alleged that from possession of this petitioner one live cartridge has been recovered.

It is submitted on behalf of the learned counsel for the petitioner that except the live cartridge nothing has been recovered from the possession of this petitioner. The petitioner is rotting in jail since 14.06.2021. So far criminal antecedent of the petitioner is concerned as mentioned in Paragraph No. 3 of the petition, it is submitted that in one of the cases bearing Pirbahore P. S. Case No. 216 of 2014 the petitioner has already been acquitted and in connection with an another case he is already on bail.

On the other hand, learned APP for the State submits that the live cartridge is said to have been recovered from the possession of this petitioner.

Having considered the rival submissions of the parties, let this petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Patna in connection with Pirbahore P. S. Case No. 227 of 2021, subject to the following conditions:



(a) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and in case of his absence on two consecutive dates without cogent reason, his bail bonds shall be cancelled by the Court below.

(b) 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.

(Harish Kumar, J)

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