

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44136 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- RIVILGANJ District- Saran

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Bhanu Pratap Singh @ Bhanu Singh Son of Lal Babu Singh Resident of
village- Majhwalia, P.S- Kopa, Dist- Saran chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Singh, Advocate
For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-11-2022 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State

through virtual court proceedings.

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

The petitioner seeks bail in connection with Rivilganj
P.S. Case No. 124 of 2022 registered for the offence under
Sections 25(1-b)a, 26 and 35 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 19.04.2022.

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

Learned counsel appearing on behalf of the petitioner



submitted that petitioner has implicated in this case only due to his criminal antecedents. It is submitted that petitioner is involved in seven (7) criminal cases where he is on bail in six (6) cases. It is further submitted that recovery of alleged loaded country made pistol was not made from the conscious physical possession of this petitioner and just due to ulterior motive at local level police personnel implicated petitioner in false arms case. While concluding the argument, it is submitted that investigation of this case is complete, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP appearing on behalf of the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, and by taking the nature of accusation, where petitioner is in custody since 19.04.2022 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Rivilganj 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 Judicial Magistrate-1st Class, Saran at Chapra/concerned court, subject to the



following conditions:

“(i) 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)

R.S.Sen/-

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