

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55442 of 2021

Arising Out of PS. Case No.-568 Year-2021 Thana- FORBESGANJ District- Araria

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DHIRAJ KUMAR SAH S/o Babloo Sah R/o village- Madarganj, Ward No. 13, P.S.- Simraha, District- Araria.

... .. Petitioner.

Versus

THE STATE OF BIHAR

... .. Opposite Party.

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Appearance :

For the Petitioner : Mr. Indu Bhushan, Advocate.
For the State : Mr. Upendra Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE A. M. BADAR
ORAL ORDER

3 11-02-2022 The applicant is given out of turn hearing because of illness of his mother.

The applicant is an accused in Crime No.568 of 2021 registered with Police Station-Forbesganj (Simraha) for the offences punishable under Sections 25(1-B)a/26 of the Arms Act.

The Investigation of the subject crime is over and charge-sheet has been filed. It is reported that the petitioner is not having any criminal antecedents and he is student.

According to the prosecution case, the applicant came to be apprehended at Simraha Bazar and he was found possessing a loaded country made firearm apart from a knife and fighter.

Considering the fact that the applicant is already undergoing pretrial detention for a period of six months and he



is not having any criminal antecedents so also the fact that the charge-sheet has already been filed, I see no reason to refuse bail to the applicant. Therefore, the following orders:

(i). The application is allowed.

(ii). The applicant/accused in Crime No.568 of 2021 registered with Police Station-Forbesganj (Simraha) for the offences punishable under Sections 25(1-B)a/26 of the Arms Act, be released on bail on executing P.R. bond of Rs.10000/- (Rupees Ten Thousand) on furnishing surety of the like amount to the satisfaction of the trial court with the following conditions:

(I). The applicant should not extend any threat, promise or inducement to the persons acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer.

(II). The applicant should cooperate the trial in expeditious disposal of the trial against him.

(III). The applicant should not contact the members of the prosecuting party as well as witnesses in this case in any manner till conclusion of the trial.

(IV). The applicant should not repeat commission of



similar offence in future and if he is found to be involved in commission of similar offence, the State is at liberty to apply for cancellation of bail granted to the applicant in the instant case.

The applicant to remove all office objections forthwith and the Registry to issue the certified copy of this order only after removal of office objections by the applicant/accused.

(A. M. Badar, J)

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