

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45632 of 2022**

Arising Out of PS. Case No.-23 Year-2022 Thana- KARPI District- Jehanabad

SANTOSH KUMAR Son of Ramanuj Singh Resident of Village - Khajuri,  
P.S.- Karpi, District - Arwal.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Shivendra Prasad  
For the Opposite Party/s : Mr.Md. Matloob Rab

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY**  
**ORAL ORDER**

2      25-11-2022                      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 Karpi P.S.  
Case No. 23 of 2022 registered for the offences punishable under  
Section 25(1-b)a ,26 and 35 of the Arms Act.

As per prosecution case, informant is the police sub-  
inspector of Karpi P.S. as well as I.O. of Kinjer P.S. Case No. 11 of  
2022 who has alleged that petitioner, the accused of Kinjer P.S. case  
No. 11 of 2022 has disclosed that the arms and ammunition used in  
the aforesaid case may be recovered from the house of the co-  
accused Arun Kumar and accordingly, the police personnel  
proceeded the house of the co-accused Arun Kumar and recovered  
two country made pistol and two misfired cartridges from his house.



Learned counsel for the petitioner submits that petitioner is in custody since 03.03.2022 and bears criminal antecedent of two cases. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. He further submits that petitioner has no concern with the co-accused Arun Kumar from where the alleged recovery was made. He further submits that nothing has been recovered from the conscious possession of the petitioner. 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, 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, **after framing of charge** on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Jehanabad in connection with Karpi P.S. Case No. 23 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.

(iv) Petitioner shall furnish mobile number at the time of furnishing bail bond and the said mobile number shall continue in operating condition till disposal of the case and he shall get his presence marked before the officer-in-charge of the concerned police station on the first Tuesday of every month.

(v) Petitioner shall not leave the territorial jurisdiction of the concerned trial court without appropriate permission of the court concerned.

(vi) However, if petitioner violates any of the conditions, the concerned court is at liberty to cancel the bail bond of the petitioner.

**(Alok Kumar Pandey, J)**

vashudha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

