

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56624 of 2021

Arising Out of PS. Case No.-133 Year-2021 Thana- DURAULI District- Siwan

=====

SACHIN KUMAR @ ABHIRAJ RANJAN @ SACHIN @ ABHIRAJ Son of
Ramesh Ram Resident of Village - Barai Patti, P.s.- Nautan, Distt.- Siwan,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Prashant Kumar

For the Opposite Party/s : Mr.Anil Kumar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Darauli P.S.
Case No. 133 of 2021 registered for the offences punishable
under Sections 25(1-b)a, 26, 35 of the Arms Act.

As per prosecution case, one country made pistol and
one live cartridge have been recovered from possession of the
petitioner. It is also alleged that one country made pistol and one
cartridge were recovered from possession of co-accused



persons.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. It is further submitted that nothing has been recovered from possession of the petitioner rather the police has planted the same so in the FIR as well as seizure list recovery of one country made pistol and one live cartridge have been shown from possession of the petitioner. Petitioner is in custody since 01.07.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Siwan in connection with Darauli P.S. Case No. 133 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two



consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

shahzad/-

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

