

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60647 of 2021

Arising Out of PS. Case No.-181 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

MD KHUSHNUD Son of Md. Kayum Resident of Village- Nagdah, P.S.-
Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Mr. Ritwik Thakur, Advocate Mr. Shivam, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-04-2022

Heard learned counsel for the parties.

The petitioner is an accused in connection with
Muffasil (Singhaul) P.S. Case No. 181 of 2021 registered under
Sections 25(1-b)a, 26(2) and 35 of the Arms Act.

As per the prosecution story, the patrolling party
intercepted two boys which included this petitioner and upon
search so far as this petitioner is concerned as per the F.I.R,
loaded pistol and cartridge were recovered. It is under this
circumstance that he is in judicial custody.

Learned counsel for the petitioner submits that the
police has falsely implicated and had assigned these articles to
be in his conscious possession and further submits that the
Investigation Officer has submitted a charge-sheet without



obtaining sanction and as such no cognizance has taken place in the eyes of law. He lastly submits that the petitioner is in judicial custody since 23rd of March, 2021

In the aforesaid facts and circumstances of the case, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in connection with Muffasil (Singhaul) P.S. Case No. 181 of 2021, subject to the following conditions.

However, as he has criminal antecedent some conditions are being imposed which are as follows:-

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps



for cancellation of his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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