

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58164 of 2021

Arising Out of PS. Case No.-180 Year-2020 Thana- BARUN District- Aurangabad

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Raju Prasad Gupta @ Raju Kumar Son Of Rajendra Gupta Resident Of
Village- Khajuri Farm, P.S.- Barun, District- Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ranjit Kumar

For the Opposite Party/s : Mr.Umanath Mishra

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 07-04-2022 Let the defects, if any, be removed within four weeks
from today.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Barun P.S.Case No. 180 of 2020 for the offences
punishable under Sections 25(1-b)a, 26 of the Arms Act.

As per the prosecution case, on 02.09.2020, the
informant raided the house of this petitioner and from the room
of this petitioner one country made pistol and one empty
cartridge has been recovered.

Learned counsel for the petitioner submits that as on
02.09.2020 itself the petitioner has been made accused in a case
registered under section 302 of the I.P.C bearing Barun P.S.Case



No. 179 of 2020 and in connection with the said case search has been made in the house of the petitioner and recovery of alleged arms has been shown and for the said recovery this present F.I.R has been instituted. It is next submitted that nothing has been recovered from conscious possession of this petitioner and so far as the house is concerned, that is a joint family house. It is further submitted that this petitioner has himself surrender on 11.09.2020 and since then he is in custody.

The learned A.P.P opposed the prayer for bail of the petitioner and submits that except this case, petitioner has one criminal antecedent, which is mentioned in Para-3 of this petition.

Having heard the rival contentions of the parties and taking into consideration the fact that, nothing has been recovered from conscious possession of the petitioner and so far as recovery is concerned, the same has been made from the joint family house, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad in connection with Barun P.S.Case No. 180 of 2020, subject to the condition that one of the bailors will be the close relatives of



the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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