

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57352 of 2021

Arising Out of PS. Case No.-2 Year-2021 Thana- KUNAULI District- Supaul

Sushil Kumar Mehta Son Of Prabhu Narayan Mehta Resident of Village -
Kunouli (Ward No.- 17), P.S.- Kunouli, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Jha

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 05-04-2022 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 Kunouli P.S.Case No. 02 of 2021 for the offences
punishable under Sections 25(1-b)a, 26,35 of the Arms Act.

As per prosecution case, it is alleged that on secret
information police raided the house of this petitioner and one
country made loaded pistol and one lakh Nepali currency were
recovered from the house of the petitioner.

Learned counsel for the petitioner submits that for
recovery of one lakh Nepali currency, Kunouli P.S.Case No. 01
of 2021 was also instituted for the offence punishable under



section 394/34 of the Indian Penal Code. It is next submitted that except this case, the petitioner has absolutely clean antecedent and he is in custody since 09.02.2021. It is next submitted that with regard to Kunouli P.S.Case No. 01 of 2021, the petitioner has already been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 56185 of 2021 vide order dated 02.03.2022. Copy of this order is kept on record.

The learned A.P.P opposed the prayer for bail of the petitioner submits that petitioner is habitual offender and he does not deserve privilege of regular bail.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is in custody since 09.02.2021, 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 Judicial Magistrate, Birpur in connection with Kunouli P.S.Case No.02 of 2021, 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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