

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58653 of 2021

Arising Out of PS. Case No.-161 Year-2021 Thana- TEGHRHA District- Begusarai

BIRENDRA SINGH @ BHOPAL SINGH Son of Kaleshwar Singh Resident
of Village - Daniyalpur Ward no.9, P.S.- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-04-2022 Heard learned counsel for the parties.

The petitioner is an accused in connection with
Teghra P.S. Case No. 161 of 2021 (G.R. No. 1476/2021)
registered under Section 25(1-b) a/26 of the Arms Act.

As per the prosecution case, the police raided the
maize field of the petitioner and upon search made in his
presence, four countrymade pistols and eight cartridges have
been recovered beside three misfired cartridges. It is under these
circumstances that the present FIR came to be lodged and the
petitioner finally came into the judicial custody on 16th of May,
2021.

Learned counsel for the petitioner submits that
recovered articles are from an open field whose ownership is
questionable. There is no independent witness and he is in jail



since 16th of May, 2021. However, he concedes that he has some criminal antecedent and there are cases lodged against him.

Taking into account the aforesaid facts, 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 Teghra P.S. Case No. 161 of 2021 (G.R. No. 1476 of 2021).

However, as the petitioner has criminal antecedent, the following conditions are imposed while releasing him on bail.

(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 bond.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

Jagdish/-

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

