

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49017 of 2022

Arising Out of PS. Case No.-135 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

=====

AMIT KUMAR @ AMIT SINGH Son of Late Udho Singh @ Udit Nayan
Singh Resident of Village- Achchechak, P.S.- Sahebpurkamal, Distt.-
Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shashi Shekhar Sharma, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai, APP

=====

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-12-2022 Heard the learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sahebpur Kamal P.S. Case No. 135 of 2022 for the offence
registered under Section 212 of the Indian Penal Code and
Sections 25(1-b)a/26 of the Arms Act.

The case of the prosecution, in brief, is that the Police
is stated to have raided the house of the petitioner on 20.05.2022
at about 4:30 A.M., upon receiving secret information, and upon
search one country made pistol loaded with one cartridge, three
live cartridges, one magazine and two mis-fired cartridges were
recovered from beneath the bed of the petitioner situated in his
room, however, the petitioner had managed to flee away.



The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 14.06.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in three other criminal cases, two of them being very old. The learned counsel for the petitioner has also submitted that since the petitioner was not apprehended from the spot, the possibility of planting of the said arms/cartridges cannot be ruled out.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record as also considering the fact that the petitioner was not apprehended from the spot and is in custody since 14.06.2022, though I deem it fit and proper to admit the petitioner to the privilege of regular bail, however, considering his bad criminal antecedent, I direct that the petitioner be released on bail, immediately upon completion of 10 months of custody, on such terms and conditions as may be deemed fit and proper to be imposed by the learned Court of C.J.M., Begusarai in



connection with Sahebpur Kamal P.S. Case No. 135 of 2022.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

S.Sb/-

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

