

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59057 of 2021

Arising Out of PS. Case No.-38 Year-2021 Thana- BACHHWARA District- Begusarai

Aman Kumar Choudhary @ KARI Son of Hari Shankar Choudhary Resident
of Village - Fatha, P.S.- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 11-04-2022 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 Bachhwara P.S.Case No. 38 of 2021 for the offences
punishable under Sections 414 of the Indian Penal Code and
section 25(1-b) a,26,35 of the Arms Act.

As per the prosecution case, it is alleged that on secret
information, the police apprehended four persons including this
petitioner, from possession of this petitioner, one loaded country
made pistol has been recovered. It is alleged that two
motorcycles have also been recovered from the place of
occurrence.



It is submitted on behalf of the learned counsel for the petitioner that all the seizure list witnesses are police personnel and there is complete violation of section 100 Cr.P.C. It is further alleged that seized motorcycle belong to the petitioner and as such no case of 414 of the IPC is made out. It is next submitted that this petitioner is in custody since 11.02.2021 and the investigation has already concluded.

The learned A.P.P vehemently opposed the prayer for bail of the petitioner and submits that the petitioner is involved in other two cases as has been mentioned in Para -3 of the petition.

Having heard the rival contentions of the parties and taking into consideration the fact that petitioner is in custody since 11.02.2021 and so far as seized motorcycle is concerned, the petitioner is owner of the said motorcycle, apart from the fact investigation has already completed, 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, , Begusarai in connection with Bachhwara P.S.Case No. 38 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.

N.K/-

(Harish Kumar, J)

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