

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60439 of 2021**

Arising Out of PS. Case No.-212 Year-2021 Thana- BAKHARI District- Begusarai

Bittu Kumar S/O Anil Singh @ Amin Singh R/O Village-Parihara, P.S-
Bakhri, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhay Shankar Singh,Adv
For the Opposite Party/s : Mr.Anil Kumar,APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

2 25-02-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Bakhri P.S.Case No.212 of 2021 registered for the offence under Sections 25(1-b),26,35 of the Arms Act.

The prosecution case, in short, is that two illegal country made pistol and live cartridge was recovered from hidden place.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He further submits that it appears from the FIR and the seizure list that nothing has been



recovered from the conscious possession of the petitioner as per allegation rather the recovery has been made, on the disclosure made by the petitioner and other co-accused persons, from the garden of co-accused, namely, Mantun Singh. He further submits that the police after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 25.07.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Bakhri P.S.Case No.212 of 2021 with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move



for cancellation of bail.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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