

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60422 of 2021

Arising Out of PS. Case No.-663 Year-2021 Thana- NAWADA District- Nawada

Rahul Gupta, Son of Sanoj Gupta, Resident of Mohalla- Linepar Mirjapur,
P.S.- Nawada, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 15-04-2022 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioner and learned APP for the State through video conferencing.

The petitioner seeks regular bail, who is in custody in connection with Town (Nawada) P.S. Case No. 663 of 2021 for the offences punishable under Sections 25(a) (1-A), 1(AA), (1-B)ab, 26(1)(2), 26, 35 of the Arms Act.

As per the prosecution case, it is alleged that in course of vehicle checking three persons coming on a motorcycle were intercepted and two of them were apprehended by the police. On search, one country made pistol, two live cartridge and one black colour Nikon camera and charger were recovered.



It is submitted on behalf of the petitioner that this petitioner has been falsely implicated in this case on account of some altercation taken place between the police personnel and the petitioner, as he was not wearing the helmet. It is next submitted that this petitioner having no criminal antecedent and is in custody since 26.06.2021 and, moreover, the investigation has already been concluded and charge-sheet has also been submitted in the present case. It is lastly submitted that the petitioner is a student and keeping him behind the bar would jeopardize his career.

On the other hand, learned APP for the State opposes the prayer for bail of the petitioner and submits that one country made pistol and two live cartridges have been recovered from the possession of this petitioner.

Having considered the submissions made on behalf of the parties and taking into consideration this fact that the petitioner is a student and having no criminal antecedent and is in custody since 26.06.2021, apart from the fact that investigation has already been completed and the charge-sheet has also been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.20,000/- (Rupees twenty thousand) with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Town (Nawada) P.S. Case No. 663 of 2020 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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