

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50989 of 2022

Arising Out of PS. Case No.-181 Year-2022 Thana- SHEOHAR District- Sheohar

SHAMBHU ROY S/O PUKAR ROY Resident of village- Tajpur Tole
Sunderpur, P.S.and District- Sheohar.

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Anisur Rahman

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 16-12-2022 The matter has been taken-up through video conference.

Heard learned counsel for the petitioner and learned A.P.P
for the State.

Let the defect(s), as pointed out by the office, be removed
within a period of four weeks from today.

The petitioner seeks bail in connection with a case
registered for the offences punishable under Sections 25(1-B)
(a)/26 of the Arms Act.

As per the prosecution case, one country-made gun and
seven pieces of live cartridges were recovered from the cow-
shade of the petitioner.

Learned Counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this



case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the said recovered articles were recovered from the cow-shade of the petitioner and he has no concern with the said articles. Further, it is submitted that the petitioner is in custody since 27.05.2022, has criminal antecedent of one case and charge-sheet has been submitted in the case.

Learned A.P.P for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of this case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) only with two sureties of the like amount each to the satisfaction of the learned C.J.M., Sheohar in connection with Sheohar P.S. Case No. 181 of 2022, subject to 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.



3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

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