

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50329 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- NASRIGANJ District- Rohtas

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BRAJESH KUMAR S/o Late Satendra Paswan @ Satyendra Ram R/o village
and P.O.- Lala Atmi, P.S.- Nasriganj, District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Advocate

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
APP for the State in Virtual Court Proceeding.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 25(1-
b)/a/26/35 of the Arms Act, in connection with Nasriganj P.S.
Case No. 34 of 2022.

As per the FIR, the A.S.I. of the concerned police
station alleged that in connection with Nasriganj P.S. Case No.
33 of 2022, the house of the petitioner was raided, when the
petitioner tried to flee away but nabbed and on search, a country
made pistol with one live cartridge was recovered. Accordingly,
he was taken into custody and the present FIR came to be
lodged.



Learned counsel for the petitioner submits that for the said alleged recovery which has been forced upon by the police, he has already suffered by being in custody since 10.3.2022 (as stated in para-12 of the bail application).

Taking into account the aforesaid facts as also the fact charge-sheet stands submitted and he is custody since 10.3.2022, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Bikramganj, Rohtas, in connection with Nasriganj P.S. Case No. 34 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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