

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60984 of 2021

Arising Out of PS. Case No.-227 Year-2021 Thana- PIRBAHOR District- Patna

Madan Mohan Sharma Son of Ravindra Prasad Singh Resident of Village -
Sagma, P.S.- Kashichak, Distt.- Nawada, at Present resident of C- Block
PMCH Quarter No.33, New Sarvant Quarter, P.S.- Pirbahour, Distt.- Patna.
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-04-2022 Heard counsel for the parties.

The petitioner is in judicial custody in connection
with Pirbahor P.S. Case No. 227 of 2021(G.R. No. 3814 of
2021) under sections 25(1-b) a/26 of the Arms Act.

The allegation against the petitioner is that in a
drunken condition, he along with other co-accused entered
the maternity ward of the Patna Medical College and
Hospital, Patna and when the police apprehended him, a
loaded pistol was recovered from his possession.

Learned counsel for the petitioner submits that
although he has criminal antecedent but has suffered being in
jail since 15.6.2021 (as stated in para-10 of the bail
application).

The charge-sheet has already been submitted and



the petitioner is in jail since 15.6.2021 and as such the Court is inclined to grant him the privilege of bail with certain conditions in view of the fact that he has criminal antecedent. 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 J.M. 1st Class, Patna, in connection with Pirbahore P.S. Case No. 227 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family members 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 reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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