

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 61793 of 2021

Arising Out of PS. Case No.-33 Year-2021 Thana- TEGHRHA District- Begusarai

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Moti Kumar S/O Vinod Singh R/O Village-Madhurapur Dhakkin Tola Ward
No. 24, Police Station-Teghra, District-Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar, Adv

For the Opposite Party/s : Mr.Md. Aslam Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-03-2022 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 learned
APP for the State in virtual Court proceeding.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 25(1-b) a, 26 and 35 of the
Arms Act.

The case relates to recovery of one country made
pistol alongwith one live cartridge.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
only on the basis of suspicion. He further submits that it appears
from the FIR as well as seizure list that nothing has been



recovered from conscious possession of the petitioner or the house of the petitioner. He further submits that the petitioner was arrested only on the basis of the confessional statement of co-accused, namely, Govind Kumar. He further submits that co-accused, namely, Govind Kumar has been granted bail vide order dated 01.12.2021 in Cr. Misc. No. 34465 of 2021 and another co-accused, namely, Satyam Kumar has been granted bail vide order dated 30.11.2021 in Cr. Misc. No.51677 of 2021 by this Hon'ble Court and the petitioner is in custody since 03.06.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries nine more cases other than the present one.

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 Court below where the case is pending in connection with Teghra Police Station Case No.33 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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