

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62014 of 2021

Arising Out of PS. Case No.-25 Year-2021 Thana- SURYAGARHA District- Lakhisarai

Raja Singh S/O Yugal Kishore Singh R/O Village-Rahatpur, P.S-Suryagarha,
District-Lakhisarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar, Advocate

For the Opposite Party/s : Mr.Ram Anurag Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 20-05-2022 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 petitioner is in custody since 29.01.2020 in
connection with Suryagarha P.S. Case No. 25/2021 under
sections 25(1)a/25(1-AA)25(1-Ac)25(1-b)C/26(1)(ii)/35 of the
Arms Act.

The allegation against the petitioner is that his hut
was raided and country-made pistol, magazine, live cartridges as
well as machine for making cartridges were recovered. In this
way, the petitioner came to be in judicial custody.

Learned counsel for the petitioner submits that the
petitioner does not have any criminal antecedent. He further



submits that only due to the allegation that the hut belongs to him, he has suffered a lot by being in jail since 29.1.2021 and if he is released on bail, is ready to abide by all terms and conditions that this Court may impose.

Considering the fact that charge-sheet stands submitted, the petitioner has no criminal antecedent and is in jail since 29.1.2021; this Court is inclined to grant him the privilege of bail subject to the certain conditions. However, if it is found that the petitioner do have any criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai, in connection with Suryagarha P.S. Case No. 25 of 2021 subject to the following conditions:-

(i) one of the bailors 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 till conclusion of the trial 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 visit before the concerned police station every week till conclusion of the trial to mark his presence;

(iv) 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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