

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63468 of 2021

Arising Out of PS. Case No.-156 Year-2020 Thana- DARPA District- East Champaran

JAGARNATH SAH Son of Late Raja Sah Resident of Village- Pipara, P.S.-
Darpa, District- East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 04-04-2022 Heard.

The petitioner seeks regular bail in connection with Darpa P.S. Case No. 156 of 2020, registered for the offence punishable under sections 25(1-b)a/26 of the Arms Act.

The informant along with other police personnel is stated to be on patrolling duty when they had apprehended the petitioner and upon search, one country made pistol along with two live cartridges were recovered.

The learned counsel for the petitioner has submitted that the petitioner is innocent, has been falsely implicated in the present case and is languishing in custody since 17.09.2020. The learned counsel for the petitioner has further submitted that



though the petitioner is accused in 11 other cases but in some cases he has been granted bail and in some cases he has been acquitted, however, in some of the cases he is yet to be granted bail. It is submitted that the petitioner is ready and willing to abide by such other conditions as may be deemed fit and proper to be imposed by the Court for the purposes of grant of bail.

Per contra, the learned APP appearing for the State has vehemently opposed the prayer for regular bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the period of incarceration, though I deem it fit and proper to direct for release of the petitioner on regular bail, however subject to certain conditions.

Accordingly, the petitioner, above named, is directed to be released on regular bail on furnishing bail-bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned court of J.M.- 1st Class, Raxaul, Motihari, East Champaran in connection with Darpa P.S. Case No. 156 of 2020.



It is further directed that the petitioner would mark his attendance, immediately upon being released from custody, before the S.H.O. of the concerned police station at 10 A.M. on each and every Monday of the week and in the event of his failure on two consecutive occasions to mark his attendance, the present privilege of bail being extended to the petitioner, shall stand revoked automatically and the petitioner shall be taken into custody forthwith.,

(Mohit Kumar Shah, J)

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