

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53569 of 2022

Arising Out of PS. Case No.-124 Year-2022 Thana- TEGHRHA District- Begusarai

ABHINAV KUMAR @ ABHINAB KUMAR @ SONU KUMAR Son of
Dilip Kumar Chandel Resident of Village - Barauni 3, Ward No.- 14, P.S.-
Teghra, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajiv Prashant

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 23-12-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Teghra
P.S. Case No. 124 of 2022 registered for the offences punishable
under Sections 25(1-b)a, 26 of the Arms Act.

As per prosecution case, it is alleged that one
country made loaded pistol was recovered under the seat of
motorcycle in question. It is further alleged that one Vivo
mobile phone was recovered from the present petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 15.05.2022. Petitioner bears



criminal antecedent of two cases in which he is on bail. Charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence. Petitioner is quite innocent and has not committed any offence as alleged against him in FIR and he has been falsely implicated in the present case due to politics played by local chowkidar with whom petitioner's father is having previous enmity and proceedings under Section 107 Cr.P.C is also going on between both sides prior to lodging of the present case.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Begusarai in connection with Teghra P.S. Case No. 124 of 2022, subject to following conditions:-

(i) One of the bailors shall be either father or



mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

alok/-

U		T	
---	--	---	--

