

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64047 of 2021

Arising Out of PS. Case No.-341 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

NITISH KUMAR TANTI Son of Kailash Tanti Resident of village - Panhas,
Ward no.17, P.S.- Town (Lohiya Nagar O.P.), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 06-05-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

Let the defect(s) be removed within two weeks of the
complete start of the physical Court in normal course.

Petitioner, who is in custody since 01.06.2021, seeks
regular bail in connection with Town P.S. Case No. 341 of 2021
dated 31.05.2021 registered for offences punishable under
Sections 25 (1-B),a, 26, (2) of the Arms Act, 1959.

Allegation is of recovery of one loaded country-made
pistol and one live cartridge of .315 bore from the possession of
the petitioner.

Learned counsel appearing on behalf of the petitioner
submits that petitioner is innocent and he has falsely been



implicated in this case. Seizure list is not in accordance with law rather nothing was recovered from the possession of the petitioner. Petitioner is in custody since 01.06.2021.

Learned A.P.P., for the State has vehemently opposed the prayer for grant of bail to the petitioner.

Having perused the allegation made in the F.I.R., period of custody undergone by the petitioner, without going into the merits of the case, the petitioner, above named, is directed to be released on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Town P.S. Case No. 341 of 2021 dated 31.05.2021 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.



(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(Purnendu Singh, J)

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