

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67684 of 2021

Arising Out of PS. Case No.-479 Year-2021 Thana- BEGUSARAI TOWN District- Begusarai

Saurav Kumar Son of Anil Kumar Singh Resident of Village - Vrindawan
(Sahit Gadh), Police Station - Vidyapati Nagar, District - Samastipur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 17-05-2022

Heard counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within a period of four weeks.

The petitioner is in custody in connection with Town
(Lohia Nagar) P.S. Case No. 479 of 2021 registered under
section 37(C) of the Bihar Prohibition and Excise Act, 2018 and
section 25(1-b) a, 26 of the Arms Act.

As per the FIR, on 31.7.2021, the police received
secret information that two persons are carrying pistol and
threatening the people passing on the road at Panhas Mushahari,
they reached the spot and nabbed both the accused persons
which included the petitioner herein. They were found in a
drunken condition. Upon search, it is alleged that one country
made pistol and live cartridge were recovered from the waist of



this petitioner. Accordingly, the same was seized and he was taken into custody. In this way, the FIR was instituted.

Learned counsel for the petitioner submits that he has clean antecedent and he is in jail since 1.8.2021 (as stated in para-9 of the bail application).

Considering the fact that charge-sheet stands submitted, he does not have any criminal antecedent and is in jail since 1.8.2021; this Court is inclined to grant him the privilege of bail subject to the fact that if he do have any criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Special Judge Excise, Begusarai, in connection with Town (Lohia Nagar) P.S. Case No. 479 of 2021 subject to the following conditions:-

(i) one of the bailors should be the family members 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 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 appear before the concerned police station every fortnight for next six months 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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