

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72289 of 2021**

Arising Out of PS. Case No.-190 Year-2021 Thana- DARAUNDA District- Siwan

NANHEY SINGH @ MIRTUNJAY SINGH Son of Chitranjan Singh
Resident of Village - Karsaut, P.s.- Daraundha, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Satyendra Narayan Singh, APP

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

3 05-07-2022 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 Daraunda P.S. Case No. 190 of 2021 registered for the offences punishable under Sections 25(1-B)a and 26 of the Arms Act.

As per prosecution case, there is alleged recovery of one loaded country made Katta from the waist of and beside this one live cartridge was also recovered from the right pocket of the half pant of the present petitioner.

Learned counsel for the petitioner submits that petitioner is in custody since 14.07.2021 and he bears series of criminal antecedent in which he was systematically implicated



in a series of cases, all lodged against unknown persons. There is no T.I. Parade ever took place and there was no recovery from the petitioner in any of the said cases except the present case. Many of the cases belongs to the same police station. Charge-sheet has already been submitted in the case and there is no likelihood of tampering the prosecution evidence. Seizure list has not been made as per law violating the provisions of Section 100 Cr.P.C.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner, keeping in view the series of criminal antecedent.

Considering the facts and circumstances of the case, period of custody, charge-sheet has already been submitted and also taking into consideration the material available on record, let the petitioner above named be released on bail after framing of charge on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Learned Judicial Magistrate, Siwan in connection with Daraunda P.S. Case No. 190 of 2021, 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 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)

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