

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11325 of 2023

Arising Out of PS. Case No.-381 Year-2022 Thana- RASULPUR District- Saran

PRADUMAN KUMAR RAM S/o Nagina Ram R/o Village- Pandey Chapra,
P.S.- Rasulpur, Distt- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is an accused in connection with
Rasulpur P.S. Case No. 381 of 2022 registered for the offences
under sections 25(1-b)a, 26 and 35 of the Arms Act lodged on
30.12.2022 by the informant, Bina Devi.

The prosecution case, in brief, is that the informant
got confidential information that one accused is carrying
country made pistol and his photograph with pistol is viral.
Informant rushed to the house of co-accused Suraj Soni and as
his photograph matched and he could not explain about the viral
video, he was arrested by the police. Co-accused Suraj Soni
disclosed the name of the petitioner herein that this country
made pistol belonged to him. Informant reached the house of



this petitioner and country made pistol was recovered from him.
Seizure list prepared and he has been taken into custody,

It has been contended by the learned counsel for the petitioner that he has been falsely implicated in this case and he do not have criminal antecedent and further is in jail since 31.12.2022.

Learned APP for the State, on the other hand, opposes the prayer for bail.

Taking into account the fact that the petitioner do not have criminal antecedent, recovery is of country made pistol without cartridge, is in custody since 31.12.2022 (as stated in paragraph-11 of the bail application), this Court is inclined to extend him privilege of bail. If however, it is found that he do have 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 the learned J.M. 1st Class, Saran at Chapra in connection with Rasulpur P.S. Case No. 381 of 2022, subject to the following conditions:-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



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 reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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