

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10646 of 2023

Arising Out of PS. Case No.-182 Year-2022 Thana- KHUTAUNA District- Madhubani

Ram Prakash Singh Son of Siya Ram Singh, Resident of Village- Siktiyahi,
P.S.- Khutauna, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Baleshwar Kamat, Adv.

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 04-05-2023 Heard Mr. Baleshwar Kamat, learned counsel
appearing on behalf of the petitioner and Mr. Dinesh Singh,
learned Additional Public Prosecutor for the State.

The petitioner seeks regular bail, who is in custody in connection with Khutauna P.S. Case No. 182 of 2022 registered for the offences punishable under Sections 25(1-B)a and 26 of the Arms Act.

The police on a secret information raided the house of the petitioner. Noticing the police party, allegedly the petitioner tried to flee away, however, he was apprehended and, on search, one loaded country made pistol and five cartridges in the magazine were recovered.

Submission has been made on behalf of the petitioner that no recovery has been made from the possession of the



petitioner. However, on suspicion, the name of the petitioner has been implicated in this case. It has further been submitted that so far Section 26 of the Arms Act is concerned, the same would not be attracted in this case and, moreover, the petitioner is in custody for about six months and now the charge-sheet has been submitted.

On the other hand, learned counsel for the State vehemently opposed the application and submitted that the arms and ammunition have been recovered from the conscious physical possession of the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the period of custody and the fair antecedent of the petitioner, coupled with the fact that the charge-sheet has been submitted, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st, Class, Jhanjharpur, Madhubani in connection with Khutauna P.S. Case No. 182 of 2022, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

- (i) The petitioner will cooperate in conclusion of



the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

rohit/-

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

