

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19918 of 2023

Arising Out of PS. Case No.-470 Year-2022 Thana- RAJAON District- Banka

Subham @ Subham Kumar Singh @ Shubham Kumar Son Of Devender
Singh Resident Of B 122, Plot No C N 113, Okhla Phase 1, Ps Okhla Phase 1,
Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prashant Kumar, Advocate. Mr. Praveen Kumar, Advocate.
For the Opposite Party/s	:	Mr. Rajeev Nayan, APP.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 15-06-2023 Heard Mr. Prashant Kumar, learned counsel for the
petitioner and learned APP for the State.

The Petitioner is apprehending his arrest in
connection with Rajoun P.S. Case No.470 of 2022, registered
for the offences punishable under Sections 25(1-B)A, 26 and 35
of the Arms Act.

Allegedly in course of patrolling duty the police
intercepted a Scorpio vehicle bearing registration no. DL 10 CT
1306 and apprehended three persons, who were sitting in the
Scorpio and on search one country made pistol loaded with



cartridge was recovered from each of the three persons.

Learned counsel appearing on behalf of the petitioner submits that the petitioner happens to be owner of the Scorpio vehicle in question, which was given to one of his friend due to some urgent work, but he has surreptitiously taken the vehicle to the State of Bihar, without his permission, where he was apprehended with his friend. He further submits that the petitioner has no concern with the recovered arms and moreover he has having fair antecedent and undertakes that he will fully cooperate in the investigation and will no indulge in tempering of the evidences or intimidating the witnesses.

On the other hand learned APP for the State vehemently opposes the bail application and submits that recovery of arms having been made from the vehicle which was known by the petitioner.

Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner was not present in the vehicle at the time when recovery was made, apart from his fair antecedent, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand only) with



two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No.470 of 2022, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure.

It is further directed that the court below shall verify the criminal antecedent of the petitioner would be found indulged in any other offence, the same would entailed the cancellation of his bail. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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