

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18679 of 2023

Arising Out of PS. Case No.-175 Year-2020 Thana- SALAKHUA District- Saharsa

NAVIN BHAGAT @ NAVIN KUMAR BHAGAT son of Late Umakant
Bhagat Village- Bahuarba Ps- Beldaur Dist- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiva Shankar Sharma, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-03-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The case is registered under Section 25(1-AA), 25(1-B)A, 26 and 35 of Arms Act, in connection with Salkhua (Banma Ithari O.P.) P.S. Case No. 175/2020.

As per the prosecution story, the police got information that the accused persons are running illegal arms factory and accordingly, the house of Soman Kumar was raided and different parts of manufacturing of arms, machines, country made pistols were recovered besides Soman Kumar, Pintu Kumar and Nand Kishore Bhagat were apprehended. The apprehended persons disclosed that it is actually this petitioner who is engaged in sale of illegal arms at village Bahuarba. Upon such information, the said house was raided. Although the petitioner managed to escape, arms as well as arms



manufacturing equipment machines, cartridges were recovered/seized from the said place. Accordingly, the FIR came to be lodged.

Earlier the petitioner had moved before this Court vide Cr. Misc. No.16908 of 2022 which was rejected on 06.09.2022.

Taking into account the period of custody (21.09.2021), as stated in para-6 as also the fact that ultimately he has to face the Trial, this Court is inclined to grant him privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Salkhua (Banma Ithari O.P.) P.S. Case No. 175/2020 to the satisfaction of learned Additional Sessions Judge, VII, Saharsa, subject to following conditions:

(i) one of the bailor should be the family member 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 reason will entail cancellation of his/her



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.

(Rajiv Roy, J)

Prakash Narayan /-

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