

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23001 of 2023**

Arising Out of PS. Case No.-166 Year-2022 Thana- DESARI District- Vaishali

=====

GUDDU RAM @ GUDDU KUMAR @ GUDDU DAS son of Suresh Ram
Village- Ajampur (Azampur)P.S- Desari (OP Chandpura)Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mrs.Rina Sinha, Advocate

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

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

4 27-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 20.04.2022 in connection with Desari (Chandpura O.P.) P.S. Case No. 166 of 2022, F.I.R. dated 18.04.2022 registered for the offence punishable under Sections 25(1-B)a,25(1-A),26 of the Arms Act.

3. The case relates to recovery of one loaded country made pistol and one live cartridge.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that from bare perusal of the FIR as well as seizure list it appears that one loaded country made pistol and one live cartridge have been recovered from



possession of the petitioner. Learned counsel for the petitioner submits that there is non-compliance of Section 100 of Cr.P.C. and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 20.04.2022.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries fourteen more cases other than the present one but fairly submits that out of fourteen cases, the petitioner is on bail in twelve cases and rest two cases are pending for consideration, as mentioned in para-3 of the supplementary affidavit.

6. Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Desari (Chandpura O.P.) P.S. Case No. 166 of 2022, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Nitesh/-

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

