

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22069 of 2023**

Arising Out of PS. Case No.-148 Year-2021 Thana- KATRA District- Muzaffarpur

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Gaurav Kumar Thakur Son Of Sunil Thakur @ Munna Thakur Resident Of
Village- Saidpur, P.S- Katra, Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vaidehi Raman Prasad Singh, Advocate

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

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

3 14-07-2023 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
19.06.2021 in connection with Katra P.S.Case No.148 of
2021, F.I.R. dated 18.06.2021 registered for the offence
punishable under Sections 399,402,34 of IPC and Sections
25(1-b)a,26 and 35 of Arms Act.

3.On search, one loaded country made pistol was
recovered from possession of the petitioner and two live
cartridges were recovered from possession of co-accused
Gaurav Kumar Thakur.

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 the seizure list that one loaded country made pistol was recovered from possession of the petitioner and 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 19.06.2021.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries nine more cases other than the present one and as per learned counsel for the petitioner, the petitioner is on bail in all the cases.

6. Considering the aforesaid facts and period of custody, 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 Judicial Magistrate 1st Class, Muzaffarpur in connection with Katra P.S.Case No.148 of 2021,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)

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