

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27402 of 2023

Arising Out of PS. Case No.-560 Year-2022 Thana- SAHEBGANJ District- Muzaffarpur

Raj Kumar Son Of Ram Chandra Singh R/O Village- Kundwa Chainpur, P.S.-
Kundwa Chainpur, District- East Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 05-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sahebganj P.S. Case No. 560 of 2022 lodged under Sections 399
and 402 of the I.P.C. read with Sections 25(1-b) a/26 &35 of the
Arms Act.

As per the prosecution case, upon secret information,
police has apprehended 5 persons including the petitioner. But
recovery of arms took place from 3 accused persons other than
the petitioner from whose possession, nothing incriminating
material has been recovered. From the seizure list relating to 3
accused, namely, Vijay Kumar, Sunny Kumar Tiwari and

Dheeraj Kumar are present in the F.I.R..

Learned counsel for the petitioner submits that petitioner has been apprehended on the alleged date by the SHO, Sahebganj. Upon search, nothing incriminating was found against the petitioner rather arms has been recovered from three accused persons other than petitioner.

Counsel further submits that petitioner is in custody since 04.12.2022. There is one criminal case pending against him in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. -1st Class, Muzaffarpur (West) in connection with Sahebganj P.S. Case No. 560 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates

without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

prakashmani/-

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