

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23544 of 2023

Arising Out of PS. Case No.-69 Year-2022 Thana- DEO District- Aurangabad

SHARAVAN KUMAR @ SHRAVAN KUMAR Son of Late Yugal Yadav
R/V- Looka, PS- Pauthu, Dist- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 17-07-2023 Heard Mr. Krishna Prasad Singh, learned senior
counsel appearing for the petitioner and the learned A.P.P. for
the State.

2. The petitioner seeks bail, who is in custody since
09.01.2023 in connection with Deo P.S.Case No.69 of 2022,
F.I.R. dated 27.03.2022 registered for the offence punishable
under Sections 25(1-b)a,26,35 of the Arms Act.

3. Police is said to have recovered a threenut from the
husk house of the petitioner.

4. Learned senior 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
on the basis of the information furnished by the co-accused
person, namely, Vikash Kumar Gupta, the police had raided the



house of the petitioner and recovered one threenut firearm and country made Katta from the beneath of straw pile. Further submits that the petitioner was not arrested at the spot and the petitioner has no concern at all with the co-accused person 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 09.01.2023.

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 two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases, as mentioned in para-3 of the bail petition.

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 C.J.M., Aurangabad in connection with Deo P.S.Case No.69 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)

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