

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26297 of 2023

Arising Out of PS. Case No.-655 Year-2022 Thana- RAHUI District- Nalanda

NAVIN KUMAR SON OF AZAD RAUT @ AZAD DHANUK Resident of
village - Chulihari, P.S. - Asthawan, Distt. - Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad, Adv.

For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-06-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail, who is in custody since
15.12.2022 in connection with Rahui P.S. Case No.655/2022,
F.I.R. dated 14.12.2022, for the offences punishable under
Sections 25(1-b)A, 26 and 35 of Arms Act.

According to prosecution case, one country made
pistol loaded with .315 bore live cartridge is said to have been
recovered from the possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the present case. He
further submits that it appears from the F.I.R. as well as seizure
list that one country made pistol along with one live cartridge
have been recovered from the possession of the petitioner and



the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 15.12.2022.

Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner has carried one criminal antecedent other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned A.C.J.M.-1st, Nalanda at Biharsharif in connection with Rahui P.S. Case No. 655/2022, subject to the following conditions:-

1. 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. 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.

3. 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)

amit/-

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

