

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 23866 of 2023**

Arising Out of PS. Case No.-52 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

SHAMBHU KUMAR SON OF DHAJO RAY R/V PIPRA , WARD
NO.16,PS. BEGUSARAI TOWN(RATANPUR OP), DISTT- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Pushpendra Kumar Singh, Advocate

For the Opposite Party/s : Dr Kumar Uday Pratap, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 **23-05-2023** Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Begusarai Town Police Station (for brevity, **PS**) Case No 52 of 2023 dated 19.01.2023 registered for the offence punishable under Sections 25 (1-B) a, 26, 35 of Arms Act.

As per prosecution case, there is recovery of one country made pistol from the possession of the petitioner.



Further, in the pocket of the petitioner, one live cartridge and one empty cartridge were found.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in two more criminal cases, as stated in paragraph 3 of the bail petition. He is in custody in this case since 20.01.2023.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Begusarai in Begusarai Town PS Case No 52 of 2023 dated 19.01.2023 subject to the following conditions:

(1) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(2) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail



is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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

