

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25571 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- ARWAL District- Jehanabad

CHHOTE NARAIN GUPTA @ CHHOTE NARIAN GUPTA Son of
Abhilakh Sao Resident of village - Mokri, P.S.- Arwal, District - Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saroj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Ganesh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-07-2023 1. Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail, who is in custody since 14.01.2023 in connection with Arwal P.S. Case No.23/2023, dated 14.01.2023, for the offences punishable under Sections 25(1-b)A, 26 and 35 of the Arms Act.

3. According to prosecution case, two country made pistols, one country made revolver and fourteen live cartridges were recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that from perusal of the F.I.R. as well as seizure list, it appears that two country made pistols, one country made revolver and fourteen



live cartridges were recovered from the house of the petitioner. He further submits that the petitioner is not the exclusive owner of the house in question and the son of the petitioner, namely, Raja Kumar was also apprehended by the informant. He further submits that co-accused, namely, Subham Prakash @ Virat @ Subham Kumar @ Birat, who disclosed the involvement of the petitioner has been granted bail by a co-ordinate Bench of this Court vide order dated 14.07.2023 passed in Cr. Misc. No. 41750/2023. He further submits that the police after investigation submitted the charge sheet against the petitioner and the petitioner is in custody since 14.01.2023.

5. Learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. 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 C.J.M., Arwal in connection with Arwal P.S. Case No.23/2023, 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)

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