

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29584 of 2023

Arising Out of PS. Case No.-22 Year-2023 Thana- BARAHAT District- Banka

PRADIP RAUT SON OF LATE BABULAL RAUT RESIDENT OF
VILLAGE- CHARWA, PS- BARAHAT, DISTT- BANKA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhirendra Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 12-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Barahat P.S. Case No. 22 of 2023 registered for the offences
punishable under Sections 25(1-b)a, 26 of the Arms Act.

As per prosecution case, one country made pistol
alongwith four live cartridges have been recovered from
possession of the petitioner.

Learned counsel for the petitioner submits that
petitioner is in custody since 29.01.2023 and bears no criminal
antecedent. He further submits that from perusal of seizure list it
appears that prior to arrest of the petitioner seizure list was
prepared and typed and later on case number has been
mentioned with signature of witnesses. Charge sheet has been



submitted in the case and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, keeping in view clean antecedent of petitioner, charge sheet has been submitted in the case and there is no likelihood of tampering with the prosecution evidence, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Barahat P.S. Case No. 22 of 2023, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.



(iii) 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.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond.

(Alok Kumar Pandey, J)

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