

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26834 of 2023

Arising Out of PS. Case No.-7 Year-2023 Thana- BHAGWANPUR District- Vaishali

Gaurav Kumar Son Of Pankaj Rai @ Pankaj Kumar R/O Village- Imadpur,
P.S.- Bhagwanpur, District- Vaishali

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-05-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 07 of 2023 dated 10.01.2023,
instituted for the offence punishable under Sections 25(1-b)/26
of the Arms Act.

3. The allegation is of recovery of one country made
pistol and one live cartridge from the possession of the
petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he is falsely implicated in this case. It
is further submitted that nothing has been recovered from the
conscious possession of the petitioner. He further submitted that
petitioner was returning to his house after Shradh Bhoj and



police falsely implicated him in the present case. Lastly, it has been submitted that the petitioner is in custody since 11.01.2023 has one criminal antecedent against him and charge-sheet has been submitted in the case.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Vaishali at Hajipur in Bhagwanpur P.S. Case No. 07 of 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present



case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. 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.

(Khatim Reza, J)

Sankalp/-

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

