

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 32523 of 2023

Arising Out of PS. Case No.-341 Year-2022 Thana- DURGAWATI District- Kaimur (Bhabua)

Shubham Singh Son Of Mahendra Pratap Singh Resident Of Village Barasta
Chauki Par, Naweda, Police Station Kapsethi, District Varanasi, State Uttar
Pradesh

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Kumar, Adv.

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Durgawati P.S. Case No. 341 of 2022 dated 17.11.2022 lodged
under Sections 25(1) (d), 25(1-b)A, 26, 29, 35 of the Arms Act.

As per the prosecution case, the F.I.R. has been
lodged against 6 named accused persons against whom
allegation of carrying 2,200 live cartridges have been recovered.

Learned counsel for the petitioner submits that the
said recovery was made from Alto car and the only material
comes against him that the accused person apprehended from

the place of occurrence and disclosed the name of the petitioner that he has purchased the said cartridges from the petitioner.

Counsel for petitioner submits that petitioner is in custody since 13.01.2023 and there is one criminal case pending against him other than Arms Act. He further submits that the other named accused persons have been granted bail by the Co-ordinate Bench of this Court vide order dated 29.04.2023 passed in Cr. Misc. No. 8115 of 2023.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur, Bhabua in connection with Durgawati P.S. Case No. 341 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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