

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29193 of 2023

Arising Out of PS. Case No.-370 Year-2022 Thana- SARAI District- Vaishali

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RATAN KUMAR SON OF VIJAY PASWAN R/O VILLAGE- ANJANI, P.S.-
SARAI, DISTRICT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Prakash Chandra Jha, Advocate

For the Opposite Party/s : Mr.Ram Naresh Ray, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 24-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
21.11.2022 in connection with Sarai P.S. Case No. 370 of 2022,
F.I.R. dated 20.11.2022 registered for the offence punishable
under Sections 25(1-b), 26, 35 of the Arms Act.

3. The case relates to recovery of one loaded country
made pistol from possession of the petitioner.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent. He has falsely
been implicated in the present case. He further submits that
from bare perusal of the FIR as well as the seizure list that one
loaded country made pistol was recovered from possession of
the petitioner. Learned counsel for the petitioner submits that



there is non-compliance of Section 100 of the Cr.P.C. and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.11.2022.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, 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 learned A.C.J.M.-16, Vaishali at Hajipur in connection with Sarai P.S. Case No. 370 of 2022, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) 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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