

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32604 of 2023**

Arising Out of PS. Case No.-105 Year-2023 Thana- GAYA MUFASIL District- Gaya

RAJEEV KUMAR S/O Sri SUDARSHAN CHAUHAN R/O Village- Usari,
P.S- Buniyadganj, Distt.- Gaya.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prithivi Raj Singh
For the Opposite Party/s : Mr.Ajay Kumar No. 2

**CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER**

2 24-06-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with
Muffasil P.S. Case No. 105 of 2023 registered for the offences
punishable under Sections 25(1-b)a, 26, and 35 of Arms Act.

As per prosecution case, one country made pistol
and two empty cartridge were recovered from the possession of
the petitioner and petitioner apprehended on spot.

Learned counsel for the petitioner submits that
petitioner is in custody since 25.01.2023 and bears no criminal
antecedent. Charge sheet has been submitted in the case and
there is no likelihood of tampering with the prosecution
evidence. He further submits that petitioner is quite innocent
and has falsely been implicated in the case.



The learned A.P.P. for the State vehemently 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 the 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 J.M. 1st Class Gaya in connection with Muffasil P.S. Case No. 105 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.

(Alok Kumar Pandey, J)

vashudha/-

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