

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34224 of 2022

Arising Out of PS. Case No.-38 Year-2021 Thana- MEHUSH District- Sheikhpura

Bipin Singh Son Of Ramasharay Singh R/O Village- Mehus, P.O. And P.S.-
Mehus, District- Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anjani Pd. Singh, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-01-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in virtual court
proceeding.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 25(1-b)a, 26, 35 of the Arms
Act.

Recovery is of one black colour country made pistol
and one .315 bore evaded cartridge have been recovered from
10-12 meter western side from the house of petitioner.

Learned counsel for the petitioner submits that
petitioner is innocent and he has falsely been implicated in the
present case. He further submits that it appears from the F.I.R.



as well as seizure list that nothing has been recovered from the conscious possession of the petitioner or the house of the petitioner, rather the recovery has been made from the grass near 10-12 meter away from the house of the petitioner and only on the basis of suspicion the name of the petitioner has falsely implicated in this case. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 11.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Mehus P.S. Case No. 38 of 2021, 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 shall remain physically present as directed 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. 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.

3. 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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