

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34709 of 2022

Arising Out of PS. Case No.-6 Year-2022 Thana- LAURIA District- West Champaran

1. Arbind Mishra Son of Harindra Mishra Resident of Village - Majharia, P.S. Lauria, District - West Champaran, Bihar.
2. Pradeep Mishra Son of Harindra Mishra Resident of Village - Majharia, P.S. Lauria, District - West Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajnish Ranjan, Advocate

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 20-01-2023 Learned counsel for the petitioners is permitted to remove the defects, as pointed out by the office, if any, within a period of four weeks from today.

Heard learned counsel for the petitioners and learned APP for the State in virtual court proceedings.

Petitioners seek bail in a case registered for the offences punishable under Sections 25(1-b)a/26/35 of the Arms Act.

One country made loaded pistol was recovered from the house of the petitioner no. 1 and one Lave Mobile was recovered from the shirt of Petitioner no. 2.

Learned counsel for the petitioners submits that the petitioners are innocent and they have been falsely implicated in



the present case. He further submits that it appears from the F.I.R. as well as seizure list that one country made loaded pistol has been recovered from the house of the petitioner no. 1 and one Lava Mobile was recovered from the shirt of petitioner no. 2. He further submits that nothing has been recovered from the conscious possession of the petitioners rather recovery has been made from the house of the petitioners and the police after investigation submitted chargesheet against the petitioners and the petitioners are in custody since 07.01.2022.

Learned APP for the State has opposed the prayer for bail of the petitioners on the ground that the petitioners carry one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Lauria P.S. Case No. 06 of 2022, with the following conditions :-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bonds shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the



witness, 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 petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedents, 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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