

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37598 of 2023

Arising Out of PS. Case No.-80 Year-2023 Thana- PUNAURA District- Sitamarhi

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RAGHUVIR KUMAR @ RAGHU S/O SHANKAR MANDAL R/O- Ward 1,
Riga Road Naya Tola, Janki Asthan Ke Pas, Post. Janki Asthank, Chakmahila,
PS. Sitamarhi, Dist. Sitamarhi, Bihar, Pin Code-843302

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Raghvendra Kumar

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-07-2023 Heard the parties.

The petitioner is in custody since 20.3.2023 in connection with Punaura P.S. Case No. 80 of 2023 for the offence punishable under Sections 25(1-b)a/26/35 of Arms Act. lodged on 21.3.2023 by the informant Umashankar Singh.

The prosecution story, in brief, is that on 21/3/2023, the informant and two other police personnel were assigned the duty of conducting the vehicle check near 'Chura Mil Chauk' on the Khairaba-Sitamarhi Road. At around 16:35 PM, when the police team was searching the vehicle, a boy riding a motorbike tried to escape. The police team chased and was able to caught him. On search, a country made pistol with live cartridge was found from his waist.



It has been contended by the learned counsel for the petitioner that he is family man and nothing to do with alleged recovery of country made pistol, do not have criminal antecedent and is in custody since 20.3.2023.

Mr. Jitendra Kumar Singh, learned APP opposes the prayer stating that there is allegation of recovery/seizure of a country made pistol.

Considering the submission put forward by the learned counsel for the petitioner as also that fact that he is in custody since 20.3.2023 and do not have criminal antecedent, this Court is inclined to extend him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Punaura P.S. Case No. 80 of 2023 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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