

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41091 of 2023

Arising Out of PS. Case No.-18 Year-2023 Thana- NAUBATPUR District- Patna

BARWAFATI MANSOORI @ BARFATI MANSOORI S/O SAMEER
MANSOORI R/O Village- Shriwar, PS. Naubatpur, Dist. Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyameshwar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Naubatpur P.S. Case No. 18 of 2023 for the offence registered under Sections 25(1-b) a, 26 and 35 of the Arms Act lodged on 09.01.2023 by the informant, Raja Ram Kumar.

As per the prosecution story, the police upon search of the person of the petitioner herein recovered/seized countrymade pistol and live cartridge and further upon search of the house, two countrymade pistol and five live cartridges were recovered. Accordingly, the FIR.

Learned counsel for the petitioner submits that he is not living in the said house which belonged to his agnates and further the police only to implicate him has shown the



recovery/seizure of the pistol for which he has already suffered by being in custody since 10.01.2023 (as stated in paragraph-14 of the bail application).

Considering the aforesaid submissions put forward by the learned counsel for the petitioner and the period of custody, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Danapur, Patna in connection with Naubatpur P.S. Case No. 18 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/her *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/her 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 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 his 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 the bail bonds.

(Rajiv Roy, J)

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