

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40478 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- DHANSOI District- Buxar

BIRENDRA KUMAR SINGH Son of Satyanarayan Singh Resident of village
- Bhikhamdera, P.S. - Dhansoi, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Manisha Prakash, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-07-2023 Heard Ms. Manisha Prakash, learned counsel for the
petitioner and the State.

The petitioner is in custody in connection with
Dhansoi P.S. Case No. 50 of 2023 for the offence under Sections
25(1-b) a/26 of the Arms Act lodged on 20.04.2023 by the
informant, Vimal Kumar.

As per the prosecution story, the Police on patrolling,
intercepted a person on motorcycle and on search, a country-
made pistol and a live cartridge was recovered/seized.
Accordingly, the F.I.R.

It has been submitted by the learned counsel for the
petitioner that he has been falsely implicated by his neighbour
with whom he had civil disputes and accordingly, the revolver
and cartridge were planted.



The further submission is that he do not have any criminal antecedent and is in custody since 23.04.2023 (as stated in paragraph 1 of the petition).

Learned APP opposes the prayer for bail.

Considering the aforesaid facts/submissions put forward by the learned counsel for the petitioner, period of custody since 23.04.2023 as also that he do not have any 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 A.C.J.M. Vth, Buxar, in connection with Dhansoi P.S. Case No. 50 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 bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned



police station every fortnight for 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.

Before parting, this Court would like to put on record its word of appreciation for Mrs. Manisha Prakash, learned counsel for the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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