

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52213 of 2022**

Arising Out of PS. Case No.-21 Year-2021 Thana- CHANDRAMANDI District- Jamui

MUNNA HEMBRAM Son of Govind Hembram R/V- Dobatiya, P.S- Barhat,
Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER**

5 31-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under sections 25(1-b)a, 26 and 35 of the Arms Act and Section 3/4 of Explosive Substance Act.

3. As per allegation in the FIR, on the basis of statement of the petitioner recorded in another case, one country made pistol and some explosive substance have been recovered from the house of co-accused Jaldhar Paswan.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. No incriminating article has been recovered from conscious possession of the petitioner rather the alleged recovery has been



made from the house of co-accused Jaldhar Paswan, who has already been enlarged on bail vide order dated 20.09.2022 passed in Cr. Misc. No. 29997 of 2022. Petitioner is in custody since 30.07.2021.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-III, Jamui in connection with S.T. No. 31 of 2022 arising out of Chandramandi PS Case no. 21 of 2021 with following conditions:.

(1) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(ii) If the petitioner tampers with the evidence or threatens the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



(iii) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail-bonds will be cancelled by the court below.

(iv) 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.

(Sunil Kumar Panwar, J)

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