

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54030 of 2023

Arising Out of PS. Case No.-77 Year-2023 Thana- KHAGARIA District- Khagaria

SACHIN KUMAR S/O ARJUN VERMA R/O VILLAGE- CHANDRA
NAGAR RANKO, PS. KHAGARIA (MUFFASIL), DIST. KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr.Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Khagaria (Muffasil) P.S. Case No. 77 of 2023 registered under Sections 25 (1-b)a, 26 and 35 of the Arms Act lodged on 27.01.2023 by the informant, Ratesh Kumar Ratan.

As per the prosecution story, on suspicion, the police apprehended two persons, the petitioner being one of them and recovered/seized 8mm K.F. live cartridge as also 8mm K.F. Khokha. Accordingly the FIR

It is the case of the petitioner that he was passer-by and only because he has criminal antecedent, came to be implicated and has remained in custody since 28.01.2023.

Learned APP for the State opposes the prayer for bail.



Considering the aforesaid facts on record, the submission put forward by the learned counsel for the petitioner, he is in custody since 28.01.2023 and ultimately will have to face the trial, 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 Judicial Magistrate, Khagaria in connection with Khagaria (Muffasil) P.S. Case NO. 77 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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