

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55022 of 2023**

Arising Out of PS. Case No.-294 Year-2023 Thana- BARAUNI District- Begusarai

SAURAV KUMAR S/O- MUKESH SINGH R/O- VILLAGE- BIHAT TOLA,  
GURUDAS PUR WARD NO.- 19 P.S- BARAUNI (F.C.I.- OP), DIST-  
BEGUSARAI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Murlidhar Mishra, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      25-08-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner is in judicial custody in connection with Barauni (FCI-O.P.) P.S. Case No. 294 of 2023 registered under Sections 25 (1-b)a, 26 (I) and 35 of the Arms Act lodged on 14.06.2023 by the informant, Pallav.

As per the prosecution story, on secret information, the police personnel reached the place of occurrence, seeing the police, accused person tried to escape but they were apprehended and disclosed their name as Saurav Kumar and Shivam Kumar, in the process, from Shivam Kumar, a country made revolver, mobiles and a motorcycle while from Saurav Kumar (the petitioner herein) two live cartridges and one screen



touch Redmi Mobile were recovered/seized. Accordingly, the FIR.

It is the case of the petitioner that they have been implicated by the police. Further, he is a student and has already suffered by being in custody since 15.06.2023 (as stated in para -1 of the petition)

Learned APP for the State opposes the prayer for bail.

Considering the aforesaid fact as also that he is in custody since 15.06.2023, this Court is inclined to grant him privilege of bail only after framing of charge as he has one dozen criminal antecedent

Let the petitioner be released on bail after framing of charge, on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Barauni (FCI O.P.) P.S. Case No. 294 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)**

Jagdish/-

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