

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57948 of 2022

Arising Out of PS. Case No.-100 Year-2022 Thana- RAGHOPUR District- Vaishali

Piyush Kumar @ Baithu @ Piyus Kumar Baitha, S/o Late Prabhat Kumar Pankaj R/V- Saidabad, Bistrasiya Ravidas Tola, P.S.- Raghapur, Distt- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-02-2023 Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 25(1-b)a, 26 of the Arms Act but the police after investigation submitted chargesheet under Sections 25(1-AA), 25(1-b)a, 26 of the Arms Act.

Twelve pieces of cartridges, an old rifle bolt and one cleaning rod was recovered from the house of the petitioner.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. She further submits that the petitioner was arrested in River (Nadi) P.S. Case No. 107 of 2022 and on the basis of confessional statement 12 pieces of cartridges, an old



rifle bolt and one cleaning rod have been recovered from the house of the petitioner. She further submits that there is non compliance of Section 100 of the Cr. P.C. and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 23.04.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Raghapur P.S. Case No. 100 of 2022, with the following conditions :-

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

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move



for cancellation of bail.

(3) 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 antecedents, 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.

(Rajesh Kumar Verma, J)

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