

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59036 of 2023

Arising Out of PS. Case No.-400 Year-2023 Thana- BEGUSARAI TOWN District- Begusarai

Gopal Krishna S/O Amrendra Kumar Singh R/O Village- Hemra Ward No.-
20, P.S- Begusari Town (O.P. Ratanpur), Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mohit Shriwastava, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-11-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Begusarai Town P.S. Case No.400/2023 (G.R. No. 2249 of
2023), lodged on 22.06.2023 under Sections 25(1-B)a, 26/35 of
the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against two named accused persons including the
petitioner on recovery of one country made pistol and a live
cartridge.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. No
incriminating article has been recovered from the possession of
the petitioner and similarly situated co-accused namely, Saurav



Kumar, has been granted regular bail by a co-ordinate Bench of this Court vide order dated 31.08.2023 passed in Criminal Miscellaneous No. 55372/2023. He further submits that the petitioner is accused in four more criminal cases, but in all the cases, he has been granted bail and he is in custody since 23.06.2023.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean as he is accused in four more criminal cases, hence, at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be released bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Begusarai, in connection with Begusarai Town P.S. Case No. 400/2023(G.R. No.2249 of 2023), subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his



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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(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.

(Dr. Anshuman, J)

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