

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57394 of 2022

Arising Out of PS. Case No.-203 Year-2020 Thana- CHAPRA TOWN District- Saran

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Bittu Singh @ Bittu @ Tiger @ Black Tiger Son Of Brij Kishor Singh R/O
Village- Dahiyawan Tola Tari, P.S.- Chapra Muffasil, Distt.- Saran
(CHAPRA)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Bashishtha Narayan Mishra, Advocate
	:	Mr. Avinash Raj, Advocate
For the Opposite Party/s	:	Mr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offence under Sections 399,402 of IPC and Sections 25(1-b)a,
26,35 of the Arms Act.

The prosecution case in shot is that one country made
loaded pistol was recovered from possession of co-accused
Suraj Kumar Singh.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
only on the basis of the disclosure made by co-accused Suraj
Kumar Singh. Further submits that no case is made out against
the petitioner under the Arms Act and no arms has been



recovered from possession of the petitioner and except the disclosure made by the co-accused Suraj Kumar, no other cogent material has come during investigation against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 12.05.2022.

Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner. Further submits that the petitioner carries two more cases other than the present one.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (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 U.T. No.27 of 2022 arising out of Chapra Town P.S. Case No. 203 of 2020 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, 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 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.

(Rajesh Kumar Verma, J)

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