

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57539 of 2022

Arising Out of PS. Case No.-395 Year-2022 Thana- SITAMARHI District- Sitamarhi

Ram Naresh Kumar Son Of Kailash Singh @ Ram Kailash Singh R/O Ward No.03, Village- Tandaspur, Koili, Sitamarhi, Koily, P.S.- Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dwij Raj, Advocate

For the Opposite Party/s : Mrs. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-02-2023 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 399, 402, 414 of the Indian Penal Code and Section 25(1-B)a, 26, 35 of the Arms Act.

One country made pistol, one live cartridge and mobile has been recovered from the possession of the petitioner and one motorcycle was also recovered from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. as well as seizure list that one country made pistol, one live cartridge and mobile have been recovered from the



possession of the petitioner and one motorcycle was also recovered from the place of occurrence. Learned counsel for the petitioner further submits that nothing has been recovered from the possession of the petitioner and the petitioner has no concern with the alleged recovery of the motorcycle. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

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 Sitamarhi P.S. Case No. 395 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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