

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58710 of 2022

Arising Out of PS. Case No.-168 Year-2022 Thana- BALIYA District- Begusarai

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Avinash Kumar Singh @ Abinash Kumar Singh @ Avinash Kumar Son of
Kartik Singh R/V- Bhagatpur Ward No. 01, P.s- Ballia, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Murli Dhar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 25 (1-b), a, 26 and 35 of the Arms Act.

According to prosecution case, the petitioner was apprehended by the police and on search, one country made pistol and four empty cartridges have been recovered from him. It is further alleged that the petitioner has disclosed the names of other accused persons who have fled away from the place of raid.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been 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 and 4 empty cartridges have been recovered from the possession of the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.06.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Ballia P.S. Case No. 168 of 2022, subject to 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 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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