

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64540 of 2023

Arising Out of PS. Case No.-59 Year-2023 Thana- PUSA District- Samastipur

Nandlal Singh @ Lulhawa, S/o Motilal Singh, R/o Village-Dhabgamma, P.S.-
Pusa, District-Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar, Advocate
For the State : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Pusa P.S. Case No. 59 of 2023, lodged on 19.05.2023 under
Sections 399 and 402 of the Indian Penal Code read with U/s
25(I-B)A/26/35 of Arms Act.

3. As per the prosecution case, FIR has been lodged
against 7 named accused persons. Out of 7 accused persons, 2
accused persons were arrested from the place of occurrence and
from their possession recovery of one loaded country made
pistol along with two live cartridges has been made.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He further
submits that petitioner has not been arrested from the place of



occurrence rather his named has figured in this case on the basis of confessional statement of co-accused who were apprehended from the place of occurrence. The petitioner is in custody 05.06.2023. He also submits that no offence under the Arms Act has been constituted against him. He further submits that there is one more criminal case against him in which he is persuading for bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Samastipur in connection with Pusa P.S. Case No. 59 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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