

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62096 of 2022

Arising Out of PS. Case No.-193 Year-2022 Thana- MAJORGANJ District- Sitamarhi

Sourav Kumar, Male, aged about 18 years, S/O Ramnarayan Mahto R/O
Village- Marpa Sirpol, P.S- Majorganj, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ritesh Kumar Narain Singh, Adv.

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 06-02-2023 Heard learned counsel for the petitioner and the learned APP
for the State.

The petitioner seeks bail in connection with Majorganj P.S.
Case No. 193/2022 registered for the offence punishable under
Section 25(1-b) a, 26, 35 of the Arms Act.

The prosecution alleges petitioner's arrest based on secret
information that he is moving with arms and likely to commit an
offence. The alleged recovery is of the country made pistol and two
(2) live cartridges.

Learned counsel for the petitioner submits that it is a case of
false implication. The arms and ammunition have been planted and
the seizure memo is not in accordance with law. It is submitted that
investigation is complete. Having no criminal antecedents, he is in
custody since 14.07.2022.

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

Considering the rival submissions, period of custody, clean
antecedents and the fact that investigation is complete, this Court, for
the purposes of grant of bail, is inclined to accept the submissions



advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

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 Additional Chief Judicial Magistrate-I, Sitamarhi, in connection with Majorganj P.S. Case No. 193/2022, subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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