

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68464 of 2023

Arising Out of PS. Case No.-288 Year-2023 Thana- TRIVENIGANJ District- Supaul

Neeraj Kumar @ Neeraj Kumar Sardar @ Neeraj Kumar Sradar, S/o Surendra
Sardar R/O Village- Suripur Daparkha, P.S- Triveniganj, Distt.- Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 19-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Triveniganj P.S. Case No. 288 of 2023, lodged on 13.07.2023
under Sections 25(1-b) a/26/35 of the Arms Act 1959.

3. As per the prosecution case, the FIR has been
lodged against 3 named accused persons including the present
petitioner and it has been alleged in the FIR that from the
petitioners' possession, one country made pistol has been
recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He also
submits that on the unfortunate day, the petitioner was standing
a nearby place with his motorcycle and in the meantime, two



persons dashed the petitioner due to which the petitioner fell down and in the meantime, police came but the other 2 persons fled away and it is the petitioner who informed the police that due to dashing, the pistol fell down which belongs to those two persons, but instead of chasing those persons, the petitioner was arrested and recovery has been shown from the possession of the petitioner. He further submits that the antecedent of the petitioner is clean and he is in custody since 14.07.2023.

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 Chief Judicial Magistrate, Supaul in connection with Triveniganj P.S. Case No. 288 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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