

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61973 of 2022

Arising Out of PS. Case No.-383 Year-2022 Thana- MOTIHARI TOWN District- East
Champaran

=====

Abhishek Kumar @ Abhisekh Kumar Son Of Ashwini Tiwari @ Aswani
Tiwari R/O Village- Gyanbabu Chowk, P.O. + P.S.- Motihari Town/Motihari
Nagar, P.S., District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Pravin Kumar, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-03-2023 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 25(1-B)a, 26/35 of the
Arms Act.

It relates to recovery of one country made pistol,
one live cartridge and Rs. 10,000/- from the possession of the
petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent 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 Rs. 10,000/- in a bag have been recovered from



the possession of the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 03.06.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner on the ground that the petitioner carries two more cases other than the present one but fairly submits that the petitioner is on bail in both the cases.

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 Motihari Town/Nagar P.S. Case No. 383 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)

Ibrar//-

U		T	
---	--	---	--

