

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68677 of 2023

Arising Out of PS. Case No.-287 Year-2023 Thana- BOCHAHAN District- Muzaffarpur

Sri Ram Kumar @ Pintu S/O Yogendra Paswan R/O Village- Baliya Indrajeet,
P.S- Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hari Kishore Thakur, Adv.

For the Opposite Party/s : Mr. Pushpa Sinha, 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
Bochahan P.S. Case No. 287 of 2023 lodged under Sections
401/34 of the I.P.C. read with Section 25(1-b)a/26 & 35 of the
Arms Act.

3. As per the prosecution case, the F.I.R. has been
lodged against the petitioner from whose possession, one desi
katta and one live cartridges have been recovered.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He submits
that from the seizure list, there is complete violation of Section
100 of the Cr.P.C.. He further submits that there are 3 criminal
antecedents of the petitioner in which he is on bail in all the

three cases.

5. Counsel for the petitioner submits that petitioner is in custody is since 06.06.2023.

6. Learned counsel for the State opposes the prayer for bail and submits that antecedent of the petitioner is not clean.

7. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **but only after framing of charge**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Court No.4 of J.M. 1st Class, Muzaffarpur, East, in connection with Bochahan P.S. Case No. 287 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C. with other 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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