

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65839 of 2022

Arising Out of PS. Case No.-41 Year-2022 Thana- BALRAMPUR District- Katihar

Sushil Ram @ Sushil Mochi Son Of Late Rameshwar Ram R/O Village-
Kaltiya, P.S.- Angarh, District- Purnea

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	: Mr.Bijendra Kumar Singh, Advocate Mr. Vikram Deo Singh, Advocate
For the Opposite Party/s	: Mr.Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 14-03-2023 Heard learned counsel appearing on behalf of the pe-
titioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Balram-
pur P.S. Case No. 41 of 2022 registered for the offence under
Section 25(1-b)a/26 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 09.03.2022.

The allegation against the petitioner is to have in pos-
session of one country made pistol and two live cartridges.

Learned counsel appearing on behalf of the petitioner
submitted that alleged recovery of firearm not appears to be



made from the conscious physical possession of this petitioner. It is also submitted that petitioner has been implicated in the present case only for his criminal antecedents having found involved in 15 cases of similar nature, where in maximum of the cases, he is on bail. It is also submitted that the maximum sentence for alleged offence is of three years, where petitioner is in custody since more than one year. While concluding the argument, it is submitted that investigation of this case has already been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above as petitioner is in custody since 09.03.2022, let the petitioner, above named, is directed to be released on bail in connection with Balrampur P.S. Case No. 41 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sessions Judge, Katihar/concerned Court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C. with further conditions that:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and suf-



ficient reason the trial court will be at liberty to cancel his bail bond.

(2) If the petitioner is found involved in similar nature of offences, after his release on bail the trial court shall take steps to cancel his bail bond.

(Chandra Shekhar Jha, J)

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