

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.66345 of 2022**

Arising Out of PS. Case No.-409 Year-2022 Thana- BEGUSARAI MUFFASIL District-  
Begusarai

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Simpal Kumar @ Simple Kumar @ Simpul Kumar Son Of Siyaram Paswan  
R/O Village- Mansi, Araiya, Ward No.05, Panchayat Khutia, P.S.- Mansi,  
District- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      18-03-2023                      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 414 of the Indian Penal  
Code and Sections 25(1-B)A, 26 of the Arms Act.

It relates to recovery of One country made pistol and  
one live cartridge from the possession of the petitioner.

Learned counsel for the petitioner submits that the  
petitioner has clean antecedent 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 and one live cartridge has been recovered from the  
possession of the petitioner and there is non-compliance of



Section 100 of the Cr. P.C. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 11.08.2022.

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

Considering the facts and circumstances of the case and the period of custody, 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 Muffasil P.S. Case No. 409 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)**

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