

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.68060 of 2023**

Arising Out of PS. Case No.-187 Year-2023 Thana- RUPAULI District- Purnia

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Rajnish Kumar Son of Shambhu Sah Resident of Village - Rupauli, Ward No.-  
13, P.S.- Rupauli, District - Purnea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

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

For the Opposite Party/s : Ms. Pronoti Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN**  
**ORAL ORDER**

2      18-10-2023                      Heard learned counsel for the petitioner and learned  
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with  
Rupauli P.S. Case No. 187 of 2023, lodged on 16.07.2023,  
under Sections 25(1-b)/26 of the Arms Act.

3. As per the prosecution case, the allegation against  
the petitioner is that he was showing *Desi Katta* in his hand on  
the main road. On seeing the police, he started fleeing but with  
the help of public gathering police arrested the petitioner and  
from his possession *Desi Katta* was recovered.

4. Learned counsel for the petitioner submits that  
from the seizure it is clear that only *Desi Katta* has been  
recovered from his possession. Counsel submits that the  
antecedent of the petitioner is clean. He is in custody since



17.07.2023.

5. Learned counsel for the State opposes the prayer for bail and submits that the arms has been recovered from the conscious possession of the petitioner though live cartridge was not with him.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be released on bail **only after framing of the 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 Judicial Magistrate, 1<sup>st</sup> Class, Purnea, in connection with Rupauli P.S. Case No.187/2023, subject to 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.

7. With this direction, the application is disposed of.

**(Dr. Anshuman, J)**

Mkr./-

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