

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68156 of 2022

Arising Out of PS. Case No.-190 Year-2022 Thana- MAHESHKHUNT District- Khagaria

KESHAV KUMAR RAJ @ KESHAV SHARMA @ KESHAV KUMAR Son
of Pramod Kumar Sharma R/v- Goraiya Bathan, P.S.- Gogri, District-
Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Viveka Nand Singh, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 05-04-2023 Heard Mr. Viveka Nand Singh, learned counsel for

the petitioner and Mr. Bharat Bhushan, learned APP for the

State.

The petitioner is an accused in connection with
Mahesh Khunt P.S. Case No. 190 of 2022 registered for the
offences under Sections 25(1-b)a, 26 and 35 of the Arms Act.

As per the prosecution story, the police on patrolling
duty intercepted some of the persons moving, the petitioner
being one of them. Further, upon search amongst other from the
petitioner herein, a live cartridge and a Moto Company
Android mobile were recovered/seized. As he failed to produce
any document, he along with other two accused persons
from whom also revolver and live cartridges were



recovered/seized were taken into custody. Accordingly, the FIR.

Learned counsel for the petitioner submits that for the said alleged act, he has already suffered by being in custody since 16.08.2022 (as stated in paragraph-13 of the bail application).

Taking into account the allegation as also that he has remained in custody since 16.08.2022, this Court is inclined to grant him privilege of bail subject to certain conditions in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Khagaria in connection with Mahesh Khunt P.S. Case No. 190 of 2022, 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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for the next 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 evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(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.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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