

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72898 of 2023

Arising Out of PS. Case No.-303 Year-2023 Thana- VAISHALI District- Vaishali

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ARJUN RAY S/O AKLOO RAI @ AKLU RAY VILLAGE- KARNEJI, PS.
VAISHALI (BELSAR O.P.), DIST. VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivjee Singh, Advocate

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-11-2023

Heard the parties.

The petitioner is an accused in connection with Vaishali P.S. Case No. 303 of 2023 registered for the offences under sections 399 and 402 of the Indian Penal Code and sections 25(1-b)a, 26 and 35 of the Arms Act lodged on 15.07.2023 by the informant, Chandragupta Kumar.

As per the prosecution story, the allegation is that on secret information, the police reached the place and caught the accused persons in suspicious condition and on search so far as the petitioner is concerned, one country made loaded pistol was recovered. Accordingly, the FIR.

Learned Counsel for the petitioner submits that only because he has criminal antecedent, has been implicated in this case, is in custody since 15.07.2023 (as stated in paragraph 4 of



the bail application).

Learned APP for the State, on the other hand, opposes the prayer for bail stating that he has criminal antecedent.

Taking into account the submissions put forward by the learned Counsel for the petitioner as also his period of custody, this Court is inclined to extend him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousands only) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Vaishali P.S. Case No. 303 of 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 bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every month for 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 his bail bonds.

With the aforesaid observations, the bail application is
allowed.

(Rajiv Roy, J)

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