

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73243 of 2022

Arising Out of PS. Case No.-403 Year-2022 Thana- DEEPNAGAR District- Nalanda

RAUSHAN KUMAR @ MOHAN Son of Purushotam Prasad @ Purushotam Kumar Resident of Village- Bhuivadha, P.S.- Silaw, District- Nalanda at present residing at Badhi Pahari, P.S.- Laheri, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priya Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-04-2023 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 03.09.2022 in connection with Deep Nagar P.S. Case No. 403 of 2022, F.I.R. dated 02.09.2022 registered for the offence punishable under Section 25(1-b), a, 26,35 of Arms Act.

The case relates to recovery of one loaded country made pistol from possession of the petitioner.

Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that it appears from the FIR as well as the seizure list that one loaded country made pistol has been recovered from possession of the petitioner. Further submits that



there is non-compliance of Section 100 of Cr. P.C. and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Nalanda in connection with Deep Nagar P.S. Case No. 403 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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 antecedent, 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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