

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.497 of 2023

Arising Out of PS. Case No.-437 Year-2022 Thana- PIRBAHOR District- Patna

Pravin Kumar, Son Of Pappu Kumar Bind R/O Bahri Begampur, Near
Jallawala Mandir, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kritu Verma, Adv.

For the Opposite Party/s : Mr. Mohammad Sufyan, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 29-03-2023 Learned counsel for the petitioner is permitted to
remove the defect(s), if any, as pointed out by the office, within
a period of four weeks from today.

Heard Mr. Kritu Verma, learned counsel for the
petitioner and learned Additional Public Prosecutor for the
State.

Application for grant of bail to the petitioner, who is
in custody in connection with PIRBAHOR P.S. Case No. 437 of
2022, registered for the offences punishable under Sections
25(1-B)(a)/26 of the Arms Act.

It is alleged that the petitioner was apprehended in
Civil Court premises by the security forces and on search one
country-made pistol and live cartridge was recovered.

Learned counsel appearing on behalf of the petitioner



submits that in fact nothing has been recovered from the person or possession of the petitioner, however, only on suspicion the petitioner was apprehended and thereafter the recovery has been shown from his possession. He further submits that there is no compliance of Section 100 of the Cr.P.C., inasmuch as both the witnesses are police personnel. He next submits that the petitioner having fair antecedent is in custody since 20.07.2022 and now the charge-sheet has been submitted.

On the other hand, learned APP for the State opposed the bail application.

Regard being had to the submissions made on behalf of the parties and considering the fair antecedent of the petitioner, coupled with the period of custody, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned concerned Judicial Magistrate 1st Class, Patna in connection with Pirbahor P.S. Case No. 437 of 2022, subject to the condition that one of the bailors will be the close relative of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.



(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

Anjani/-

U		T	
---	--	---	--

