

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4398 of 2023

Arising Out of PS. Case No.-41 Year-2020 Thana- NARDIGANJ District- Nawada

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ALOK KUMAR Son of Late Rajendra Singh Resident of village - Pararia,
P.S.- Nardiganj, District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar

For the Opposite Party/s : Mr.Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 02-05-2023 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

The petitioner is seeking regular bail in connection
with Nardiganj P.S. Case No. 41 of 2020, registered for the
offences punishable under Sections 25(1-b), 26 and 35 of the
Arms Act.

As per allegation, during investigation of Nardiganj
P.S. Case No. 40 of 2020, the investigating authorities went to
the house of the petitioner. There was no one in his house,
whereas the door was opened and only a small child was present
there. Three empty cartridges and a gun were recovered from his
house.

The learned counsel for the petitioner has submitted



that the FIR itself shows that except a small child, none was present in the house of the petitioner at the time of raid. The entire allegation is false and the petitioner is under custody since 27.07.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- (ten thousand rupees) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Nardiganj P.S. Case No. 41 of 2020, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(iii) The petitioners shall remain present physically before the court below on each and



every date till framing of the charges. If he fails to appear without assigning any reason or unavoidable circumstances on two consecutive dates, the learned court below shall be at liberty to cancel his bail bonds.

(Nawneet Kumar Pandey, J)

Nirmal/Kundan

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