

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79475 of 2023

Arising Out of PS. Case No.-196 Year-2023 Thana- KHAIRA District- Saran

PAWAN KUMAR SINGH SON OF SHIV DAYAL SINGH R/O VILLAGE-
G.S.BANGRA, P.S.- JALALPUR, DISTRICT- SARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anjani Parashar

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 07-12-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Khaira
P.S. Case No. 196/2023 registered for the offences punishable
under Sections 25(1-b)a/26 of the Arms Act.

As per prosecution case, petitioner is alleged to
have apprehended on spot and from his possession, one country
made pistol, two live cartridges and a motorcycle were
recovered.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence as alleged
in the FIR and he has falsely been implicated in this case.
Except suspicion, there is nothing on record to connect the
present petitioner with the alleged occurrence. Petitioner bears



criminal antecedent of one case which is registered on the same date. Seizure list has not been made as per law. It is further submitted petitioner has no knowledge about the alleged recovery. Police has roped the petitioner in this present case with malafide intention because he denied to be the witness in another case. Petitioner is in custody since 03.06.2023. Learned counsel orally submits that charge sheet has already been submitted and there is no likelihood of tampering with the prosecution evidence.

The learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, period of custody, argument advanced on behalf of both sides and also taking into consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st Class, Saran in connection with Khaira P.S. Case No. 196/2023, subject to the following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the



affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission, would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offences in future, the learned trial court shall be at liberty to cancel his bail bond..

(Alok Kumar Pandey, J)

asmit/-

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

