

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11254 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- KHAGARIA RAIL P.S. District- Khagaria

BIPIN KUMAR SON OF DHANIK SAH R/O-BARBIGHI, WARD NO. 8
P.S.-BALIYA, DISTT.-BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chandan Kashyap, Advocate.

For the Opposite Party/s : Mr.Ajit Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 18-10-2024 Heard Mr. Chandan Kashyap, learned counsel
appearing on behalf of the petitioner and Mr. Ajit Kumar,
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Khagaria Rail P.S. Case No. 85 of 2023 for the offence
punishable under Sections 25(1-B)a and 26(1) of the Arms Act.

3. As per the allegation made in the F.I.R., the
petitioner along with other co-accused was apprehended with
arms.

4. Learned counsel appearing on behalf of the
petitioner submitted that the petitioner is innocent and is not
involved in the alleged crime or had intended to commit any
crime. The recovery has been shown in the police custody and a
seizure list has been prepared to that effect which has been



handed over to the petitioner. The petitioner being innocent having clean antecedent seeks to be released on bail.

5. Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner.

6. Considering the nature of allegation against the petitioner and the fact that the petitioner having clean antecedent is in custody since 19.08.2023, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Railway Judicial Magistrate, Khagaria in connection with Rail (Khagaria) P.S. Case No. 85 of 2023, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature



of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The District Court is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in Para-3 of the bail petition, this order will automatically lose its force.

7. The bail application stands disposed of.

(Purnendu Singh, J)

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