

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9265 of 2024

Arising Out of PS. Case No.-311 Year-2023 Thana- BHAGWANPUR District- Begusarai

Awdhesh Ram, Son Of Sunil Ram Village -Naula, Ward No. 14, P.S.-
Bhagwanpur, Dist. -Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar Sinha

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-03-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 25(1-b), 26 and 35 of the Arms Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that one Nitish Kumar was apprehended and
on search, two country-made pistols were recovered from his
possession and two motorcycles were seized. It is further
submitted that Nitish Kumar disclosed the name of the
petitioner as his associates.

4. The learned counsel for the petitioner submits that
the petitioner was not apprehended from the spot, as such,



nothing was recovered from his conscious possession and he came to be implicated based on confessional statement of Nitish Kumar in police custody, which does not have any evidentiary value, when admittedly petitioner is a person with clean antecedent. It is next submitted that petitioner will not abscond rather will cooperate in the investigation.

5. Learned A.P.P. opposes the bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Bhagwanpur P. S. Case No.311 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father namely, Sunil Ram.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite



giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

vikash/-

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

