

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10900 of 2024

Arising Out of PS. Case No.-105 Year-2023 Thana- TANDWA District- Aurangabad

Basudeo Prajapati @ Basudev Prajapat son of Ram Jatan Prajapati @
Ramjatan Prajapat Village- Sikariya Tola Nano Bigha Ps- Tandwa Distt-
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2024 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Tandwa P.S. Case No.105 of 2023, lodged on 17.09.2023, under
Sections 25(1-b)/A/26 of the Arms Act.

3. As per the prosecution, the police upon secret
information that illegal wine is used to be sold in the house of
the petitioner raided but nothing was recovered. Upon search in
the house, in one room one country-made pistol is alleged to
have been recovered.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
submits that the petitioner is in custody since 28.11.2023 having



no criminal antecedent. Counsel submits that the police has raided in the house on the information that wine are kept but wine has not been found then to make the raid justified the police has lodged the false case against him in which one country-made pistol with cartridge have been shown and petitioner has been arrested.

5. Learned counsel for the State opposes the prayer for bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner, above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of Mr. Shobhit Sourabh, learned Judicial Magistrate, 1st Class, Aurangabad, in connection with Tandwa P.S. Case No.105 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure with other following conditions:

(i) One of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) The petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) The petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

Mkr./-

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

