

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44010 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- DHANARUA District- Patna

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ROHIT KUMAR @ CHAMPAK @ PANDIT SON OF LATE SIDHNATH SHARMA RESIDENT OF VILL- NEEMA, P.S.- DHANARUA, DISTRICT- PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr.Gautam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 29-10-2024 Heard the parties.

2 The petitioner is in custody in connection with Dhanarua P.S. Case No. 105 of 2024 for the offence punishable under sections 25(i-B)A and 26 of the Arms Act lodged on 26.02.2024 by the informant, Shashiranjan Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the Police raided the house of the accused and there is an allegation that upon search, country-made pistol was recovered from his pants. As he failed to give the paper, arrested.

4. Learned counsel for the petitioner submits that he has already suffered by being in custody since 26.02.2024 (paragraph 10 of the petition) and if allowed relief, he shall be



diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Though the petitioner has criminal antecedent, taking into account his period of custody, as incorporated above and he has given an undertaking to diligently appear in trial, this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned J.M. 1st Class, Masauri, Patna, in connection with Dhanarua P.S. Case No. 105 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for one year to mark his



attendance;

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

(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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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