

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46586 of 2024

Arising Out of PS. Case No.-66 Year-2024 Thana- THAWE District- Gopalganj

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Anas S/o Ehasan R/o vill - Klyanpur, P.S. - Ratanpuri, Distt. - Mujaffarnagar,
U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 10-07-2024 Heard the learned Advocate for the petitioner and the

learned APP for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Thawe P.S. Case No. 66 of 2024, registered
for the offence punishable under Sections 399 and 402 of the
Indian Penal Code and Sections 25(1-B)A, 26 and 35 of the
Arms Act.

3. The police on a secret information regarding the
assemblage of some miscreants conducted raid and apprehended
four persons. From the possession of the petitioner, three live
cartridges were recovered. Other incriminating materials have
also been recovered from the possession of other apprehended
persons.

4. Learned Advocate for the petitioner submits that



from the FIR it is evident that only three live cartridges were recovered from the possession of the petitioner and, as such, the prosecution appears to be doubtful for the simple reason that the cartridges without weapon is of no use. It is further contended that in fact the petitioner has no relation with other accused persons, who were apprehended by the police. However, only on suspicion his name has been implicated in this case showing recovery of three cartridges. Be that as it may, now the investigation of the crime is complete and after submission of the charge-sheet even the charges have also been removed. The petitioner is in custody since 12.03.2024, having clean antecedent.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the recovery has been made from the possession of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the recovery of three cartridges, coupled with the fair antecedent and the fact that charges have been framed, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate,



Gopalganj in connection with Thawe P.S. Case No. 66 of 2024, subject to the condition that one of the bailors will be the local resident of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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