

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47587 of 2024

Arising Out of PS. Case No.-6 Year-2024 Thana- KUSHESHWARASTHAN District-
Darbhanga

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Ram Karan Sada @ Ramkaran Sda S/o- Nago Sada @ Nago Sda Village-
Golmadeeh Gomladih Ps- Kusheshwar Asthan Tilkeshwar OP Dist-
Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilendu Kumar Choudhary, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 17-10-2024 Heard Mr. Nilendu Kumar Choudhary, learned
counsel for the petitioner and the State.

2. The petitioner is in custody in connection with
Kusheshwar Asthan P.S. Case No. 06 of 2024 for the offence
punishable under sections 25(1-B)(a), 26(3) of the Arms Act
lodged on 12.01.2024 by the informant, Manish Kumar.

3. As per the prosecution story, upon secret
information, the police reached the Thakurwari, a person tried to
escape but was apprehended. He was the petitioner and from his
possession, a country made pistol and two live cartridges were
recovered/seized. This followed the FIR.

4. Learned counsel for the petitioner submits that only
because of the criminal antecedent, the police keeps on



apprehending and lodging case against him, he has already suffered by being in custody since 13.01.2024.

5. Learned APP opposes the prayer for bail submitting that amongst the criminal antecedent, two cases relates to fire arms.

6. The antecedents are there, the FIR lodged, he will be facing the trial, considering his period of custody (13.01.2024), 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 Judicial Magistrate-1st Class, Benipur, Darbhanga in connection with Kusheshwar Asthan P.S. Case No. 06 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)

Vijay Singh/-

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