

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50005 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- HARSIDHI District- East Champaran

Abhinandan Kumar S/O Motilal Sah R/O Village- Hasuahan, Lalganj, P.S-
Harsidhi, Distt.- East Champaran At Motihari.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Karandeep Kumar
For the Opposite Party/s : Ms.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-09-2024 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Harsidhi P.S. Case No. 222 of 2024, registered for the offences punishable under Sections 25(1-B)(a), 26 of the Arms Act.

3. In course of patrolling, the police apprehended the petitioner and from his possession one country made pistol and live cartridge were recovered.

4. There is complete denial of the recovery from the possession of the petitioner and submission has been made on behalf of the petitioner that because of his past criminal antecedents his name has been implicated in this case showing the recovery from his possession. Drawing the attention of this Court to the seizure list, learned Advocate for the petitioner



contended that the narration of the FIR number in the memo of seizure and the FIR instituted, based upon a typed written report clearly suggests the deliberation and false implication of the petitioner in the present crime. Now the petitioner has been incarcerated since 22.04.2024 and the investigation of the crime is complete.

5. On the other hand, learned APP for the State opposed the bail application and submitted that apart from two criminal antecedents of serious offence, arms and ammunition have been recovered from the conscious possession of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the tender age of the petitioner, coupled with the period of custody and the fact that the crime in question is triable by the Magistrate, let the petitioner, abovenamed, 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 Judicial Magistrate 1st Class, East Champaran at Motihari in connection with Harsidhi P.S. Case No. 222 of 2024, subject to the condition that one of the bailors shall be the own/close family members 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.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

Anjani/-

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

