

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50734 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- PAROO District- Muzaffarpur

Vinay Kumar Son of Rameqbal Rai R/O- Village- Damodarpur, P.S.- Paroo,
Distt.- Muzaffarpur, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-07-2024 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 Paroo P.S. Case No. 78 of 2024, registered for the offence punishable under Section 414/34 of the Indian Penal Code and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. The police in course of search intercepted the petitioner, who was coming on a motorcycle. On search, a loaded country made pistol was recovered from the waist of the petitioner.

4. Learned Advocate for the petitioner contended that in fact nothing has been recovered from the possession of the petitioner. However, only on interrogation, when the police came to know about the criminal antecedent of the petitioner in



identical nature, his name has been implicated in this case showing the recovery of the loaded country made pistol from his possession. Be that as it may, now the investigation of the crime is complete and the charge-sheet has been submitted. Learned Advocate for the petitioner further contended that there are other discrepancies in the search and seizure. Moreover, the seizure list witnesses are none else but the police personnels. Now the petitioner has been incarcerated since 20.03.2024.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the petitioner is carrying four criminal antecedent of identical nature over his head and release of the petitioner would certainly embolden him.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the investigation of the crime is complete and the charge-sheet has been submitted, 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 Judicial Magistrate First Class (West), Muzaffarpur in connection with Paroo P.S. Case No. 78 of 2024, subject to the condition that one of the bailors will be the close



relatives of the petitioner with further conditions which are as follows:-

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

(ii) He will ensure his presence on every first week of the month before the local police station for a period of nine months.

(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)

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