

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51831 of 2024

Arising Out of PS. Case No.-107 Year-2023 Thana- JANKINAGAR District- Purnia

PRINCE KUMAR SON OF PRITHIVI YADAV RESIDENT OF VILLAGE -
DAMGARHA, MUSHARI TOLA, WARD NO. 10, P.S. - JANKI NAGAR,
DISTRICT - PURNEA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 25-09-2024 Heard Mr. Ajit Kumar Singh, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with
Janki Nagar P.S. Case No. 107 of 2023 for the offence
punishable under sections 25(1-b)a and 26 of the Arms Act
lodged on 31.05.2023 by the informant, Deendayal Manjhi.

3. As per the prosecution story, the informant alleged
that upon information that the petitioner is carrying the pistol,
proceeded and surrounded the house but the petitioner was not
present. Further, upon search of the kitchen, a loaded pistol was
recovered from inside the earthen stove. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only
because of criminal antecedent, he has been implicated. Further,



it has not been recovered from his conscious possession rather from a joint house. Upon knowledge of the case, he himself surrendered on 19.01.2024 (paragraph 11 of the petition) and is in custody since then.

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

6. Taking into account the aforesaid facts as also the recovery is from the joint house property and he is in custody since 19.01.2024, 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 Chief Judicial Magistrate, Purnea, in connection with Janki Nagar P.S. Case No. 107 of 2023 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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