

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54830 of 2024

Arising Out of PS. Case No.-393 Year-2023 Thana- RAJAON District- Banka

Ajay Sah Son Of Late Janki Sah R/V- Kotwali, P.S.- Rajoun (Nawada), Distt.- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-08-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Rajoun (Nawada) P.S. Case No. 393 of 2023 dated 03.08.2023,
lodged under Sections 25(1-B)a and 26 of the Arms Act.

3. Learned counsel for the petitioner submits that the
bail application of the petitioner has earlier been rejected vide
order dated 09.04.2024 passed in Cr. Misc. No. 6852 of 2024 in
which liberty was granted to him to renew his prayer for bail
two months after framing of charge. He submits that the charge
has already been framed in this case and more than about six
months have been crossed from the date of filing of charge.

4. Learned A.P.P. for the State opposes the prayer for
bail and submits that it is true that charge has been framed in
this case.

5. It transpires to this Court that there are two criminal antecedents of the petitioner.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Banka in connection with Rajoun (Nawada) P.S. Case No. 393 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

(i) one of the bailors should be the family member of the petitioner who shall provide official document to show his *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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for

cancellation of the bail bonds; and

(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 the bail bonds.

7. It is made clear that the Trial Court shall accept the bail bond of the petitioner on being satisfied that he is not absconding in the cases pending against him, as follows:-

- (i) Rajoun P.S. Case No. 141 of 2022.
- (ii) Rajoun P.S. Case No. 24 of 2005.

8. With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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