

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54097 of 2024

Arising Out of PS. Case No.-210 Year-2024 Thana- HARSIDHI District- East Champaran

Ashok Kumar S/o Brij Raj Thakur R/o vill - Murali, P.S. - Sangrampur, Distt.
- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Laxmi Jha, Adv. Mr. Abhishek Kumar, Adv.
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 14-11-2024 Heard Mrs. Laxmi Jha, learned counsel for the
petitioner and the State.

2. The petitioner is in custody in connection with Harsidhi P.S. Case No. 210 of 2024 for the offence punishable under sections 25(1-b)a and 26 of the Arms Act lodged on 14.04.2024 by the informant, Raviranjan Kumar.

3. As per the prosecution story, the informant alleged that on information that the accused is flashing arms, reached the place and intercepted the motorcycle, upon search from the petitioner, loaded pistol with live cartridges recovered/seized, which led to the FIR.

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



implicated him, the present case is an example of that for which he has already suffered by being in custody since 15.04.2024 (para 4 of the petition).

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

6. Taking into account the submission put forward by the parties as also his period of custody, FIR lodged, charge-sheet submitted, he will be facing the trial, in that background, 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, Motihari, East Champaran in connection with Harsidhi P.S. Case No. 210 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 six months 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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